



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS' REGULAR MEETING

September 21, 2005

A meeting of the Bay Area Air Quality Management District Board of Directors will be held at 9:45 a.m. in the 7th floor Board Room at the Air District headquarters, 939 Ellis Street, San Francisco, California.

Questions About an Agenda Item

The name, telephone number and e-mail of the appropriate staff person to contact for additional information or to resolve concerns is listed for each agenda item.

Meeting Procedures

The public meeting of the Air District Board of Directors begins at 9:45 a.m. The Board of Directors generally will consider items in the order listed on the agenda. However, any item may be considered in any order.

After action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

BOARD OF DIRECTORS' REGULAR MEETING A G E N D A

WEDNESDAY
SEPTEMBER 21, 2005

BOARD ROOM
7TH FLOOR

9:45 A.M.

CALL TO ORDER

Opening Comments
Roll Call
Pledge of Allegiance

Marland Townsend, Chairperson
Clerk of the Boards

PUBLIC COMMENT PERIOD

Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3
Members of the public are afforded the opportunity to speak on any agenda item. All agendas for regular meetings are posted at District headquarters, 939 Ellis Street, San Francisco, CA, at least 72 hours in advance of a regular meeting. At the beginning of the regular meeting agenda, an opportunity is also provided for the public to speak on any subject within the Board's subject matter jurisdiction. Speakers will be limited to three (3) minutes each.

COMMENDATIONS/PROCLAMATION:

Presentation of plaque to Teresa Galvin-Lee, Public Information and Outreach Division Director, in recognition of her retirement from the Air District after 31 years of dedicated service to the Air District.

Presentation of awards to the 2005 Clean Air Champions in acknowledgement of their commitment to clean air.

CONSENT CALENDAR (ITEMS 1 – 6)

Staff/Phone (415) 749-

- Minutes of July 20, 2005 Meetings
M. Romaidis/4965
mromaidis@baaqmd.gov
- Communications
Information only
J. Broadbent/5052
jbroadbent@baaqmd.gov
- Report of the Advisory Council
B. Zamora/4962
Bzamora@co.sanmateo.ca.us
- Monthly Activity Report
Report of Division Activities for the months of July and August, 2005
J. Broadbent/5052
jbroadbent@baaqmd.gov
- Consider Approval of Resolution Regarding Authority of the Non-Board of Directors Administrative Committee
J. Broadbent/5052
jbroadbent@baaqmd.gov
The Board of Directors will consider approving vesting the authority of the Non- Board of Directors Administrative Committee with the Executive Officer/APCO.

6. Consider Approval of Request to Transfer Signature Authorization **J. Broadbent/5052**

jbroadbent@baaqmd.gov

The Board of Directors will consider recommendation to change signature authorization to Jack P. Broadbent, Executive Officer/APCO and Brian C. Bunger, District Counsel granting authority to sign orders drawn by the District on District funds.

COMMITTEE REPORTS AND RECOMMENDATIONS

7. Report of the **Mobile Source Committee** Meeting of September 13, 2005

CHAIR: S. HAGGERTY

J. Broadbent/5052

jbroadbent@baaqmd.gov

Action(s): Due to a lack of a quorum the Committee referred the following items to the Board of Directors for consideration and approval without recommendations:

- A) *Selection of Environmental Engineering Studies, Inc., Pick-N-Pull, and Pick Your Part as the vehicle scrapping contractors for the fiscal year (FY) 2005/06 Vehicle Buy Back (VBB) Program;*
- B) *Authorize the Executive Officer/APCO to execute contracts in the total amount of \$7 million allocated for this purpose to the VBB Program in FY 2005/06 for vehicle scrapping and related services with Environmental Engineering Studies, Inc., Pick-N-Pull, and Pick Your Part to be distributed on a monthly reimbursement basis;*
- C) *Selection of ICF Consulting as the contractor to conduct performance reviews of selected TFCA projects; and*
- D) *Authorize the Executive Officer/APCO to execute a contract with the selected contractor for an amount not to exceed \$200,000 for the provision of the performance review services.*

CLOSED SESSION

8. Conference with Legal Counsel

Significant Exposure to Litigation

Pursuant to Government Code Section 54956.9(b), a need exists to meet in closed session to discuss two potential litigation matters against the District.

OPEN SESSION

- 9. Report of the Executive Officer/APCO
- 10. Chairperson's Report
- 11. Board Members' Comments

Any member of the Board, or its staff, on his or her own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)

12. Time and Place of Next Meeting – 9:45 a.m. Wednesday, October 5, 2005 - 939 Ellis Street, San Francisco, CA 94109
13. Adjournment

CONTACT CLERK OF THE BOARD - 939 ELLIS STREET SF, CA 94109

(415) 749-4965
FAX: (415) 928-8560
BAAQMD homepage:
www.baaqmd.gov

- To submit written comments on an agenda item in advance of the meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- To request special accommodations for those persons with disabilities. Notification to the Clerk's Office should be given at least 3 working days prior to the date of the meeting so that arrangements can be made accordingly.

COMMENDATION/PROCLAMATIONS

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Inter-office Memorandum

To: Chairperson Townsend and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: September 21, 2005

Re: 2005 Clean Air Champions

RECOMMENDED ACTION

Acknowledge and present awards to the 2005 Clean Air Champions.

BACKGROUND

One of the goals of the Air District's outreach programs is to involve Bay Area residents in its clean air mission. A component of this outreach program is the Clean Air Champions Awards campaign, which honors inspirational individuals who have embraced a clean air lifestyle and who volunteer their services to spread the clean air message. Through their everyday efforts, Clean Air Champions work to improve air quality in their communities. A consortium of partners co-sponsors the program along with the Air District including: the American Lung Association of the Bay Area, LIVE 105 Radio, RIDES for Bay Area Commuters, the U.S. EPA, ALICE 97.3, and KCBS All News radio.

Our 2005 Champions are everyday people who are exceptionally motivated to make their communities healthier places to live. The following four individuals have been selected as 2005 Clean Air Champions winners.

THE CLEAN AIR CHAMPIONS

Joan Spencer, Gilroy

Joan Spencer is a tireless respiratory therapist from Gilroy. Several years ago, Joan began questioning why so many of her patients were experiencing asthma and lung cancer. She concluded that it was partly due to poor local air quality in Gilroy and the surrounding south bay. For the past several years, Joan has been advocating that new housing be solar powered and that schools add solar panels to their roofs. She also promotes trails for bikers and walkers, and lobbied for a wood burning ordinance for the city of Gilroy. At the state level, Joan advocates for clean air legislation. Whether she's sitting on the Parks and Recreation Commission, or waiting in line at the grocery store, Joan never stops spreading the word about pollution and ways to clean up the air.

Jannat A. Muhammad, Richmond

Jannat A. Muhammad has been a public health advocate and volunteer for 30 years. She has been instrumental in changing community behavior to benefit cleaner indoor and outdoor air through her many outreach and public education programs. Through the Neighborhood House project, Jannat rallies community support to address the issues of pesticides and fine particle air pollution. She also helped establish the Asthma and Diesel Coalition, which has surveyed the impact of toxic air pollution on neighborhood children.

Maria Luz Torre, San Francisco

Many San Francisco school children will have a healthier ride to school thanks in part to the work of Clean Air Champion **Maria Luz Torre** and her team of parents at Asthma Relief for Kids (ARK). As a community organizer for Parent Voices in San Francisco for the last ten years, Maria grew concerned about the large numbers of children with asthma in some neighborhoods, so she formed ARK, a team of parents whose children suffer from asthma. Last year, Maria and her ARK team worked on a campaign to reduce the diesel emissions from the 250 school buses serving 10,000 school children in San Francisco. Their campaign included countless hours of research, meetings with school officials and clean air technology experts, and presentations about the hazards of diesel particulates in school buses. Their hard work has paid off -- the San Francisco School Board passed a resolution setting clean air standards for school buses, and the clean-up begins in January, 2006. This is the first of its kind in the Bay Area.

Steven Moss, San Francisco

Steven Moss has succeeded in building community around environmental issues in San Francisco's Bayview and Potrero neighborhoods. Steven founded the *San Francisco Community Power Cooperative* as a constructive way to reduce air pollution in the Bayview by working with community members. The SF Power Co-Op has enrolled 2,000 businesses and residences as members. Employing Bayview-Hunters Point residents, he has installed energy-saving devices in thousands of homes and businesses in the neighborhood, reducing energy consumption. The SF Power Co-Op also provides residents with the information and motivation they need to advocate for reducing the community's reliance on fossil fuels.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Funding for this program is included in the 2005-06 budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Luna Salaver
Reviewed by: Teresa Lee

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Marland Townsend and
Members of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: September 13, 2005

Re: Board of Directors' Draft Meeting Minutes

RECOMMENDED ACTION:

Approve attached draft minutes of the Board of Directors meetings of July 20, 2005.

DISCUSSION

Attached for your review and approval are the draft minutes of the July 20, 2005 Board of Directors' meetings.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 ELLIS STREET – SAN FRANCISCO, CA 94109

Draft Minutes: Board of Directors' Regular Meeting – July 20, 2005

Call To Order

Opening Comments: Chairperson Marland Townsend called the meeting to order at 9:45 a.m.

Roll Call: Present: Marland Townsend, Chair, Harold Brown, Roberta Cooper (9:49 a.m.), Chris Daly, Mark DeSaulnier, Erin Garner, Jerry Hill, Patrick Kwok, Jake McGoldrick (9:59 a.m.), Julia Miller, Mark Ross, Michael Shimansky, John Silva, Pam Torliatt (9:58 a.m.), Gayle B. Uilkema, Shelia Young (9:51 a.m.).

Absent: Dan Dunnigan, Scott Haggerty, Liz Kniss, Nate Miley, Tim Smith, Brad Wagenknecht.

Pledge of Allegiance: Director Garner led the Board in the Pledge of Allegiance.

Commendations/Proclamation: There were none.

Public Comment Period: The following individuals came forward to speak:

David Schroeder
West Berkeley Alliance for
Clean Air & Safe Jobs
Berkeley, CA 94702

Janice Schroeder
West Berkeley Alliance for
Clean Air & Safe Jobs
Berkeley, CA 94702

Director Roberta Cooper arrived at 9:49 a.m.

The speakers discussed issues relating to Pacific Steel Casting in Berkeley.

Director Shelia Young arrived at 9:51 a.m.

Consent Calendar (Items 1 – 6)

1. Minutes of June 15, 2005 Meeting
2. Communications. Correspondence addressed to the Board of Directors
3. Report of the Advisory Council. There was no report.
4. Monthly Activity Report – Report of Division Activities for the month of June 2005.
5. Quarterly Report of the Clerk of the Boards

6. Quarterly Report of Air Resources Board Representative

Board Action: Director Miller moved approval of the Consent Calendar; seconded by Director Kwok; carried unanimously without objection.

Committee Reports and Recommendations

7. Report of the Mobile Source Committee Meeting of July 14, 2005

Action(s): The Committee recommended Board of Director approval of the following:

- A) A one-year contract extension for the Vehicle Buy Back Program Direct Mail campaign;*
- B) Transportation Fund for Clean Air (TFCA) County Program Manager expenditure plans for fiscal year 2005/2006 as summarized in Tables 1 and 2 of the attached staff report; and*
- C) The Vehicle Incentive Program (VIP) for fiscal year 2005/2006, including: 1) allocation of \$500,000 in TFCA funds for the fiscal year 2005/2006 VIP funding cycle; and 2) approval of the VIP guidelines.*

Director Miller presented the report and stated that the Committee met on Thursday, July 14, 2005.

Staff provided an overview of the Vehicle Buy Back Program annual report for fiscal year 2004/2005. Staff reported that changes implemented by the Board in October 2004 have doubled the monthly scrapping rates, and that the Program is one of the most cost-effective Transportation Fund for Clean Air (TFCA)-funded programs.

The Committee received reports on and recommends Board of Director approval of the following items:

- A) A one-year contract extension with Ad Mail for the Vehicle Buy Back Program Direct Mail campaign in the amount of up to \$90,000;
- B) TFCA County Program Manager expenditure plans for fiscal year 2005/2006 as listed in Tables 1 and 2 of the staff report; and
- C) Approval of the Vehicle Incentive Program (VIP) for fiscal year 2005/2006, including 1) allocation of \$500,000 in TFCA Regional funds for the fiscal year VIP cycle, and 2) approval of the VIP guidelines and procedures.

The August 11, 2005 Committee meeting is cancelled. The next meeting of the Committee is scheduled for 9:30 a.m., Thursday, September 8, 2005.

Board Action: Director Miller moved that the Board approve the report and recommendations of the Mobile Source Committee as stated in items A through C; seconded by Director Uilkema; carried unanimously without objection.

8. Report of the Public Outreach Committee Meeting of July 18, 2005

Action(s): The Committee recommended Board of Director approval of Allison and Partners as the contractor to assist with the Employer Spare the Air program, and authorized the Executive Officer/APCO to execute a contract in the amount of \$98,600.

Director Young presented the report and stated that the Public Outreach Committee met on Monday, July 18, 2005.

Staff updated the Committee on the Spare the Air season including the status of air quality excesses, meteorological conditions in the Bay Area to date, and media and advertising activities. The Spare the Air season began on June 1, 2005 and will continue through October 14, 2005. Jim Smith, of Community Focus, presented details on the "Great Race for Clean Air" events in Alameda County specifically.

Staff presented details on the evaluation and interview process used for screening contractors to assist in the Spare the Air Employer program. The Committee recommends that the Board of Directors approve 1) Allison and Partners as the contractor to assist with the Employer Spare the Air program, and 2) Authorize the Executive Officer/APCO to execute a contract in the amount of \$98,600 for a seven month period, from July 27, 2005 to February 28, 2006, with the possibility of extending the contract for an additional one year period. The Committee also provided direction to staff with regard to that contract.

Staff reviewed the Air District's involvement in Walk to School Day events scheduled for October 5, 2005. Jim Smith, Community Focus, reported on the details of the various Resource Teams' involvement in the program throughout the Bay Area.

The next meeting of the Committee initially scheduled for 9:30 a.m., Monday, September 12, 2005 will be rescheduled to Monday, October 24, 2005.

Board Action: Director Young moved that the Board approve the report and the following recommendations:

(1) Approve Allison and Partners as the contractor to assist with the Air District's Employer Program with the inclusion of an expanded outreach effort, as suggested by the Committee; and

(2) Authorize the Executive Officer/APCO to execute a contract with Allison and Partners in the amount of \$98,600. The motion was seconded by Director Miller and the motion carried unanimously without objection.

Director Pamela Torliatt arrived at 9:58 a.m. and Director Jake McGoldrick arrived at 9:59 a.m.

Public Hearing

9. Public Hearing to Consider Proposed Adoption of new Regulation 12, Rule 12: Flares at Petroleum Refineries; Adoption of an Amendment to Regulation 8, Rule 2: Miscellaneous Standards of Operation; and Certification of a CEQA Final Environmental Impact Report

The proposed rule will reduce emission from flares at petroleum refineries by requiring refiners to develop and implement plans to reduce the frequency and magnitude of flaring.

Jack Broadbent, Executive Officer/APCO, stated that this rule will reduce the frequency of refinery flaring in the Bay Area. Mr. Broadbent noted that there was a long public process in the development of the rule. Mr. Broadbent stated that this represents the first of its kind regulation and is an opportunity for the Air District to reestablish its leadership position in air quality management. Mr. Broadbent recognized staff members Alex Ezersky, Dan Belik and Kathleen Walsh for the work that they have done on the development of this rule.

Alex Ezersky, Principal Air Quality Specialist, presented the report and stated that the purpose of the rule is to reduce emissions from flares at petroleum refineries by minimizing the frequency and magnitude of flaring. Mr. Ezersky discussed and provided information on the following:

- o The background of the rule development process.
- o The continuous improvement process.
- o An overview of the rule including Flare Minimization Plan elements and process.
- o The refineries' ongoing obligations and the provisions in the rule for Root Cause Analysis.
- o Opportunities for public input on the Flare Minimization Plans.

Mr. Ezersky reported that the District staff has addressed and responded to comments received on the rule. Staff recommends adoption of Regulation 12: Miscellaneous Standards of Performance, Rule 12: Flares at Petroleum Refineries; amendment to Regulation 8: Organic Compounds, Rule 2: Miscellaneous Operations; and certification of the final Environmental Impact Report.

Chairperson Townsend opened the public hearing at 10:16 a.m. and the following individuals spoke:

Richard Drury
Plumbers & Steamfitters Local
342, Electrical Workers 302
So. San Francisco, CA 94080

Bill Bosnar
Tesoro Golden Eagle
Martinez, CA

Tre Vasquez
CBE
Oakland, CA 94612

Kevin Golden
Plumbers & Steamfitters Local
342, Electrical Workers 302
So. San Francisco, CA 94080

Dr. Henry Clark
West County Toxic Coal.
Richmond, CA 94801

Wanna Wright
Richmond, CA

Julia May
Plumbers & Steamfitters Local
342, IBEW 302

Linda Weiner
Bay Area Clean Air Task
Force
Daly City, CA 94014

Belan Ramirez
Rodeo, CA

Rick Rothman
Bingham McCutchen
Los Angeles, CA

Denny Larson
National Refinery Reform
San Francisco, CA 94110

Lucia Flores
CBE
Rodeo, CA

Dean Simeroff
Air Resources Board

Adrienne Bloch
CBE

Jorge Ayende
Richmond, CA

Sacramento, CA 95214	Oakland, CA 94612	
Dr. Wendel Brunner Contra Costa Health Services Martinez, CA 94553	Greg Karras CBE Oakland, CA 94612	Carla Perez CBE Oakland, CA
Mike Kenney ConocoPhillips Rodeo, CA 94572	Marleen Quint CBE (Patient Advocate) El Cerrito, CA	Celia Davis Data Center Oakland, CA 94612
Joe Sparano Western States Petroleum Assn. Sacramento, CA 95814	Angelina Martinez Richmond, CA	LaToya Funchess NRDC San Francisco, CA
Wafaa Aborashed Environmental Justice for Clean Air Coalition Alameda, CA 94577	Lupe Garcia Richmond, CA	

Chairperson Townsend closed the Public Hearing at 11:20 a.m.

There was extensive discussion on several issues, including making minor amendments to the rule, a 160 ppm sulfur limit, the threshold for root cause analysis, and preparation of a CEQA document.

Director McGoldrick moved that the Board adopt the staff recommendation and that the staff further explore the 160 ppm sulfur limit and prepare a CEQA report; seconded by Director Cooper. Director DeSaulnier offered a substitute motion.

Board Action: Director DeSaulnier moved that, in addition to the staff's recommendation, the Board adopt the following:

BE IT FURTHER RESOLVED that the Board of Directors directs staff to examine issues related to the trigger point for the most formal level of causal analysis required by the flare control rule, and to report back to the Stationary Source Committee in September of 2005, and thereafter as directed by the committee, with recommendations for modifying the rule if appropriate based on the results of that examination.

BE IT FURTHER RESOLVED that the Board of Directors directs staff to examine issues related to the inclusion in the flare rule of a sulfur limit for any gases sent to a flare, including a limit of 160 ppm hydrogen sulfide, and to report back to the Stationary Source Committee in September of 2005 with recommendations for modifying the rule if appropriate based on the results of that examination.

BE IT FURTHER RESOLVED that the Board encourages the Executive Officer to hold a public meeting in coordination with the Health Department of the county where the flare is located during the public review period for a Flare Minimization Plan if requested by the public.

The motion was seconded by Director Torliatt. Director McGoldrick withdrew his motion.

During discussion, Chairperson Townsend clarified that in addition to the language suggested by Director DeSaulnier, the motion includes the following:

1. That the Board adopt the proposed new rule, Regulation 12: Miscellaneous Standards of Performance, Rule 12: Flares at Petroleum Refineries.
2. That the Board adopt a proposed amendment to Regulation 8: Organic Compounds, Rule 2: Miscellaneous Operations; and certify the CEQA Final Environmental Impact Report.

The motion then passed on the following roll call vote:

AYES: Brown, Cooper, DeSaulnier, Garner, Hill, Kwok, McGoldrick, Miller, Ross, Shimansky, Silva, Torliatt, Uilkema, Young Townsend.

NOES: Daly.

ABSENT: Dunnigan, Haggerty, Kniss, Miley, Smith, Wagenknecht.

It was noted that Directors Daly's no vote is solely based on the CEQA issue.

Adopted Resolution No. 2005-11 – A Resolution of the Board of Directors of the Bay Area Air Quality Management District Approving the Environmental Impact Report for the Proposed Adoption of Regulation 12: Miscellaneous Standards of Performance, Rule 12: Flares at Petroleum Refineries and Amendment to Regulation 8: Organic Compounds, Rule 2: Miscellaneous Operations

A Resolution of the Board of Directors of the Bay Area Air Quality Management District to Adopt Regulation 12: Miscellaneous Standards of Performance, Rule 12: Flares at Petroleum Refineries and to Amend Regulation 8: Organic Compounds, Rule 2: Miscellaneous Operations

Closed Session (The Board adjourned to Closed Session at 11:41 a.m.)

10. Conference with Legal Counsel

Existing Litigation:

Pursuant to Government Code Section 54956.9(a), a need existed to meet in Closed Session with legal counsel to consider the following cases:

1. **Arbitration Between Paul Mauriello, Grievant, and Bay Area AQMD**, American Arbitration Association NO. 74-300-600-04 LYMC
2. **Our Children's Earth Foundation v. United States Environmental Protection Agency, et al.**, United States Court of Appeals for the Ninth Circuit, Case No. 04-7303

Open Session (The Board reconvened to Open Session at 11:58 a.m.)

Brian Bunger, Counsel, reported that the Board met in Closed Session with Counsel and necessary personnel on items 1 and 2 under agenda number 10. The Board received a report from Counsel and provided general direction.

Other Business

11. Report of the Executive Officer/APCO – There was no report.
12. Chairperson’s Report: There was no report.
13. Board Members’ Comments – There were none.
14. Time and Place of Next Meeting – Chairperson Townsend announced the cancellation of the August 3rd, August 17th and September 7th Regular Board meetings. The next Regular Board meeting is scheduled for 9:45 a.m., Wednesday, September 21, 2005 - 939 Ellis Street, San Francisco, CA 94109.
15. **Adjournment – The meeting adjourned at 11:59 a.m.**

**Mary Romaidis
Clerk of the Boards**

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Townsend and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: September 21, 2005

Re: Report of Division Activities for the month of July 2005

ADMINISTRATIVE SERVICES DIVISION – J. MCKAY, ACTING DIRECTOR

Staff issued an RFP for Audit Services for the District's yearly audit.

Status of various capital projects in process:

	<u>Started</u>	<u>% Complete</u>	<u>Completion</u>
➤ Phase III Fire Alarm System	August 05	10	Nov 30 2005
➤ Phase IV HVAC Upgrade	August 05	10	Dec 30 2005
➤ ADA upgrades for 7th, 4th floor	August 05	50	Aug 30 2005
➤ Replace fire doors	NA	NA	Sep 15 2005
➤ 7th and 4th floor lighting	NA	NA	Oct 30 2005
➤ All electrical closets up to code:	NA	NA	Oct 1 2005
➤ Garage pedestrian early warning:	NA	NA	Aug 30 2005
➤ Emergency generator lights	NA	NA	Sep 30 2005
➤ Bids for new Security Services have been solicited			

COMPLIANCE & ENFORCEMENT DIVISION – K. WEE, DIRECTOR**Enforcement Program**

Tesoro Refinery had two deliverables due under the Stipulated Conditional Order of Abatement (Docket No.3492 approved May 5, 2005). On July1, Tesoro submitted a report on the various engineering alternatives they are considering to end the violations at the #5 Boiler. On July 15, Tesoro submitted a critical path analysis of the process to switch the Coker flue gases from #5 Boiler to the backup, #6 Boiler and an analysis of the Coker startup procedures. District staff is in the process of reviewing both documents and has already preliminarily informed Tesoro about the areas in the reports that require further documentation. Staff met with Tesoro representatives to review the reports and identify deficiencies in the reports on July 25, 2005 at the refinery.

Pacific Steel Castings (PSC) of Berkeley received a total of 39 odor complaints during the month of July. Eleven of these complaints were confirmed to PSC by inspection staff. No public nuisance violations were documented in July. On July 18th, District staff met with the City of Berkeley Toxics Department staff, to discuss the progress of several projects

involving PSC (i.e. the Health Risk Assessment, enforcement actions, sand reclaimer source testing, & PSC's odor control plan). A plan to coordinate the release of PSC reports and other information through the City of Berkeley was agreed upon.

ConocoPhillips received nine complaints July 3, 2005 between 4:45 and 10:25 P.M from the Crockett area alleging sulfurous odors. Seven of the complaints were confirmed by District staff who traced the odors to tanks that store high sulfur catalytic gas oils. One of the tanks was being loaded with product at the time of the complaints. District staff issued a public nuisance Notice of Violation. ConocoPhillips took expeditious corrective action to mitigate the odors emanating from tanks and on August 2 installed carbon abatement on tanks 280 and 281 for odor control.

Compliance Assurance Program

Follow-up inspections were performed at Shore Terminals in Martinez on July 20, 2005. These inspections were conducted as part of the conclusion of the audit of Shore's three facilities in Selby, Martinez, and Richmond. The results of the inspections indicated that the compliance problems found during the audit were corrected and the facility is now maintaining the facility in compliance with District regulations.

Staff conducted an inspection and investigation of Chevron Refinery on July 1 & 7 looking for any unpermitted construction. None was found. There was considerable construction associated with the installation of a new, higher-efficiency steam turbine, which does not require an Authority to Construct from the District.

The Inspection staff has completed approximately 70% of the Title V inspections that are due for completion by September 30, 2005. 846 inspections were conducted at permitted sources, 830 inspections were conducted in July 2004. 153 inspections were conducted at non-permitted sources (Asbestos & Open Burns), 184 inspections were conducted in July 2004.

Compliance Assistance Program

A Compliance Advisory to refinery facilities is being drafted to give guidance on the notification requirement of new Regulation 12, Rule 12, Flares at Petroleum Refineries. Enforcement staff is working with the IT Division to develop an email notification system for the rule. Additionally, staff is working with the refineries to clarify some reporting issues surrounding acid gas streams and flow reporting.

Staff has received flare monitoring data for May 2005 and has completed the flare graphs for posting to the District website. Two Green Business Compliance Certifications were completed for: Central Marin Sanitation District, 1301 Andersen Dr., San Rafael (Plant # A0653); and Las Gallinas Valley Sanitary District, 300 Smith Ranch Road, San Rafael (Plant # A1597).

Conoco representatives presented their clean fuels expansion project the District staff on July 28. The project consists of the following: Expanded Sulfur Plant, New Hydrogen Plant, New Heavy Gas Oil Hydrocracker, New Product Fractionator, New Heater, New Stripper Tower, New Vacuum Tower, 2 New 150,000 Barrel finished product tanks.

Training

Staff is in the process of reviewing an online introductory inspection course offered by the U.S. EPA National Environmental Training Institute (NETI). Topics for the September session of In-Service Training (IST) have been identified and trainers assigned. Staff has also researched and recommended a contractor for general training on refinery operations. This general knowledge training will be packaged in a one-day seminar within District offices. Staff participated in a Cal/EPA Regional Cross-Media Training Program committee meeting on July 12. The meeting was hosted electronically, on the web, by the State Water Resources Control Board's committee representative. Staff had discussions with contractor HMM Engineering regarding the specific configuration of a smoke generator, which is being purchased to replace the CARB visible emissions training.

Operations

Staff reviewed Naturally-Occurring Asbestos (NOA) Asbestos Dust Mitigation Plans (ADMP) for the San Jose/ Santa Clara Water Pollution Control Plant Capital Improvement Project, the Rhode Island/17th Street Site Project, San Francisco, and the Hunters Point Parcel "A" Project, San Francisco. At a July 26 meeting, staff from Enforcement, Engineering, Technical and Planning Divisions developed monitoring protocols and trigger levels for projects where the sites are within ¼ mile of a sensitive receptor, such as a school, senior center or park. The first approval letter setting forth the monitoring requirements was sent on July 26 to the Rhode Island/17th St project.

Thayer Consulting, employed to assist in Request for Proposal (RFP) development for the District's radio replacement, met with the staff project team on July 27 to review the final document requirements, including timelines, response weighting, voice and digital data coverage.

Staff is currently working on an Administrative Operating Procedure (AOP) on communications equipment usage. It is intended to clear up misconceptions regarding the physical limitations of the current communications systems and the protocol to be followed when using two-way radio and Nextel.

(See Attachment for Activities by County)

ENGINEERING DIVISION – B. BATEMAN, DIRECTOR

Toxics Program

The Toxic Evaluation Section completed a total of 20 health risk screens during July. The majority of these risk screens were for diesel engine emergency generators and gas stations. Staff continued work related to the transition to the recently adopted Air Toxics New Source Review Rule. Staff also continued work associated with the Health Risk Assessment being prepared by Pacific Steel Casting Company in Berkeley under the requirements of the Air Toxics Hot Spots Program.

Title V Program

Staff worked on finalizing proposed revisions to the Title V permits for four Bay Area refineries that address issues raised by EPA. The Title V permit renewals were issued for Rexam Beverage Can Company (Fairfield), PE Berkeley (Berkeley), and East Bay Municipal

Utility District (Oakland). The proposed Title V permit renewals for Duke Energy (Oakland) and City of Santa Clara (Santa Clara) were issued for public comment.

Permit Evaluation Program

Staff hosted a meeting of the CAPCOA Engineering Managers Committee. Meetings were held with permit applicants for several proposed cogenerations and resource recovery projects. Permit application submittals remained at high levels with a total of 187 applications received in July.

Engineering Special Projects Program

Engineering Division staff visited several natural gas well facilities in Contra Costa to assess emissions/compliance from condensate storage tanks. Staff also visited South Coast AQMD to investigate emission controls for ship loading with low volatility materials to support rule development efforts. Staff began reviewing permitting issues associated with a proposal to retrofit diesel engines with natural gas/diesel bi-fuel systems.

Community Air Risk Evaluation (CARE) Program

Sonoma Technologies, Inc. (STI) submitted its Final Report to the District: "Preparation of Emission Inventories of Toxic Air Contaminants for the Bay Area" in which point source, area source and on-road mobile source emissions of toxic air contaminants (TACs), including diesel particulate, were spatially allocated on a 2 km x 2 km grid for display and analysis using ArcGIS. The basic deliverables from STI were data tables (TAC inventories, spatial allocation factors, cross references) queries and macros that will allow the District to generate the TAC inventories in gridded format and display various configurations on maps. The next step is to use the resulting mapped emissions to check the underlying data quality and make corrections where better information is available. Staff met with representatives from Farallon Geographics to upload various data layers to the ArcSDE server, as well as all the data from the STI Final Report.

INFORMATION SYSTEMS DIVISION – J. McKAY, DIRECTOR

Toolsets for Permits/Enforcement/Legal

Staff is in progress with design of its Oracle database. The District has contracted with CH2M Hill to design the migration from Ingress and HP flat files to Oracle. Although underlying structured database design can be performed apart from the design of systems for Content Management (forms and documents), the two elements will be pursued concurrently and each process will inform the other.

A selection process has initiated that will result in Vendor selection for targeted demonstrations followed by in-house pilot projects. An update of the extensive requirement documentation that was previously developed continues

LEGAL DIVISION – B. BUNGER, DISTRICT COUNSEL

The District Counsel's Office received 16 Violations reflected in Notices of Violation ("NOVs") for processing.

Mutual Settlement Program staff initiated settlement discussions regarding civil penalties for 101 Violations reflected in NOVs. In addition, Mutual Settlement Program staff sent 3 Final 30 Day Letters regarding civil penalties for 3 Violations reflected in NOVs. Finally, settlement negotiations by Mutual Settlement Program staff resulted in collection of \$62,650 in civil penalties for 60 Violations reflected in NOVs.

Counsel in the District Counsel's Office initiated settlement discussions regarding civil penalties for 80 Violations reflected in NOVs. Settlement negotiations by counsel in the District Counsel's Office resulted in collection of \$849,300 in civil penalties for 50 Violations (including \$400,000 in civil penalties paid to the District by Chevron as provided in the Consent Decree entered by the court in the case of United States, et al. v. Chevron U.S.A., Inc., United States District Court, N.D. Cal., Case No. C 03-4650 CRB).

(See Attachment for Penalties by County)

PLANNING DIVISION – H. HILKEN, DIRECTOR

Grant Programs

On July 14, staff presented to the Mobile Source Committee: 1) the Vehicle Buy Back (VBB) Program annual report for fiscal year 2004/2005; 2) staff's recommendation for the VBB Program direct mail campaign contract extension; 3) staff's recommendation for the Transportation Fund for Clean Air (TFCA) County Program Manager expenditure programs for fiscal year 2005/2006; and 4) staff's recommendation for the Vehicle Incentive Program (VIP) for fiscal year 2005/2006. A total of 793 eligible light-duty vehicles were purchased and scrapped by the three Vehicle Buy Back (VBB) Program contractors.

Rule Development Program

Staff presented proposed Regulation 12, Rule 12: Flares at Petroleum Refineries and proposed amendments to Regulation 8, Rule 2: Miscellaneous Operations at the regular Board of Directors meeting on July 20. The regulatory proposals were adopted by the Board. On July 25, staff met with Foss personnel at the Foss Maritime marine loading facility in Long Beach, CA to investigate marine loading control technologies. On July 15, staff visited the Food Technology Center in San Ramon to discuss currently available and prototype control technologies for mechanical ventilation systems to minimize emissions from charbroilers.

Air Quality Planning Program

Staff wrote four comment letters regarding air quality impacts of development projects and plans in the Bay Area: Town of Corte Madera's General Plan Notice of Preparation, City of Dublin's Fallon Village Project Notice of Preparation, City of Pleasanton's Air Quality Element Data Request, Town of Tiburon's General Plan Draft EIR.

Research and Modeling

Staff continued consultations with ARB and neighboring air districts regarding modeling for northern California plans to be prepared for the national 8-hour ozone standard. Staff reviewed draft ARB analyses of potential ozone transport from the Bay Area to Sacramento and San Joaquin Valley, and discussed the reports with ARB and neighboring districts.

PUBLIC INFORMATION & OUTREACH – T. GALVIN LEE, DIRECTOR

On Tuesday, July 26, the Bay Area experienced its first Spare the Air day of the season. 21 transit agencies participated in offering the free morning commute program, with some of the smaller operators reporting up to a 12% increase in ridership. The resulting media coverage was among the largest the District has received in recent memory, including front page coverage on the SF Chronicle. That evening the District's research contractor conducted a random telephone poll. Results indicated 7.30% reduced driving of at least one trip and 3.81% indicated they did not use a household product they normally would have because of Spare the Air ads or air quality concerns. Overall, 68% said they heard, read, or saw something about Spare the Air. The numbers were very similar to the successful 2004 season.

The Air District's West Contra Costa County EJ Resource Team on Air Quality presented the results of a year-long study on diesel PM emissions to city council members and supervisors in San Pablo, Richmond and Martinez. The report, "Deluged by Diesel," measured in-door air pollution in three Richmond homes with an emphasis on diesel PM entering the homes from outside sources. Those results were then compared to results from a fourth test home in Lafayette. This ambitious project was organized and conducted by Richmond residents with technical assistance provided by Pacific Institute, funded by a grant from the USEPA, Region 9. All three presentations were warmly received, with San Pablo agreeing to immediately implement most of the report's recommendations, while Richmond and Martinez referred it to staff for further review and study.

On July 20th, the Air District made history by being the first air quality agency to adopt a rule to regulate and eliminate routine flaring by local oil refineries. The flare rule's provisions are stringent and will address the concerns of residents living in proximity to refineries. The resulting media coverage was substantial and picked up throughout California and in some national outlets.

During July approximately 2093 smoking vehicles were reported.

TECHNICAL DIVISION – G. KENDALL, DIRECTOR**Air Quality**

The Air quality in the Bay Area was in the Good category from July 1st through the 11th due to moderate temperatures, strong onshore flow and a deep marine layer. For the remainder of the month, temperatures soared across the US due to a large area of high pressure covering much of the country. From July 12th through the 17th, the Bay Area experienced above normal temperatures as the high pressure expanded to the west coast. Inland area temperatures reached 98 to 102 degrees. However, air quality remained in the Moderate AQI category due to continued strong onshore flow. A few District stations recorded exceedances of the State 1-hour and 8-hour ozone standards on July 12, 14, 15, 16, and 17. The high pressure area retreated from the west coast from July 18th to 22nd, but expanded again from July 23rd to 26th. During that period, the national 8-hour ozone standard was exceeded at both Livermore (114 AQI) and Los Gatos (106 AQI) on July 23rd, the State 8-hour standard was exceeded on July 24th, and the State 1-hour standard was exceeded on July 26th. Air Quality returned to the Good AQI category for the remainder of the month.

Air Monitoring

Thirty-two of the thirty-four air monitoring stations were operational during the month of July 2005. The Hayward and Crockett stations, both located at water district facilities, are shut down during seismic upgrades at those facilities.

Meteorology and Forecasting

April 2005 air quality data were quality assured and entered into the EPA Air Quality System (AQS) database. Staff continued to make daily air quality and burn forecasts. The semi-annual calibration of the District's meteorological network was completed. Staff met with ConocoPhillips and East Bay Regional Park staff to view the new Cummings Skyway GLM monitoring site, which was upgraded to meet District monitoring standards.

Quality Assurance

The Quality Assurance (QA) group conducted regular, mandated performance audits of 16 monitors at 9 District air monitoring stations. QA staff also conducted performance audits on SO₂ and H₂S monitors at Ground Level Monitoring (GLM) stations at the ConocoPhillips Carbon Plant in Rodeo.

Laboratory

In addition to the ongoing, routine analyses, the VOC composite partial pressure of an imaging oil sample from Hewlett Packard was determined. A fuel gas sample from ConocoPhillips in Rodeo was analyzed for reduced sulfur compounds. The Reid vapor pressure and hydrocarbon compounds in a natural gas well condensate sample from Venco in Oakley were determined. The laboratory began analyzing selected ambient air samples for carbon dioxide.

Source Test

Ongoing Source Test activities included Continuous Emissions Monitoring (CEM) Field Accuracy Tests, source tests, gasoline cargo tank testing, and evaluations of tests conducted by outside contractors. The ConocoPhillips Refinery's open path monitor monthly report for the month of June was reviewed. The Source Test Section provided ongoing participation in the District's Further Studies Measures for refineries.

These facilities have received one or more Notices of Violations Report period: July 1, 2005 – July 31, 2005

Alameda County

Received

Date	Site #	Site Name	City	Regulation Title
7/19/2005	A0703	Pacific Steel Casting Co-Plant #2	Berkeley	Public Nuisance Surface Coating of Miscellaneous Metal
7/14/2005	B1035	Heat & Control Inc	Hayward	Parts and Products
7/12/2005	Q3491	Leland Pong	Pleasanton	Asbestos Demolition, Renovation

Contra Costa County

Received

Date	Site #	Site Name	City	Regulation Title
7/19/2005	C9980	Gas City	Antioch	Gasoline Dispensing Facilities

7/28/2005	K9374	Beneto Tank Lines	Martinez	Gasoline Bulk Terminals and Gasoline Delivery Vehicles
7/19/2005	A0011	Shell Martinez Refinery	Martinez	Standards of Performance for New Stationary Sources
7/19/2005	B2758	Tesoro Refining and Marketing Company	Martinez	Particulate Matter and Visible Emissions
7/7/2005	A0061	ConocoPhillips	Richmond	Equipment Leaks; Gasoline Bulk Terminals and Gasoline Delivery Vehicles
7/7/2005	C1671	Petro Plus	San Pablo	Gasoline Dispensing Facilities

Marin County

Received Date	Site #	Site Name	City	Regulation Title
7/6/2005	Q2456	Mobile Autobody Solutions Inc	San Rafael	Motor Vehicle Coating Operations

Napa County

Received Date	Site #	Site Name	City	Regulation Title
NONE				

San Francisco County

Received Date	Site #	Site Name	City	Regulation Title
7/7/2005	C2591	Avis Rent A Car Systems, Inc	San Francisco	Gasoline Dispensing Facilities
7/28/2005	A5203	Clean N' Save	San Francisco	Perc Dry Cleaning
7/28/2005	B2642	Lombard French Cleaners	San Francisco	Failure to Meet Permit Conditions
7/5/2005	C9923	Tosco Fac# 4074	San Francisco	Gasoline Dispensing Facilities
7/26/2005	C2618	Unocal #6097	San Francisco	Gasoline Dispensing Facilities

San Mateo County

Received Date	Site #	Site Name	City	Regulation Title
7/7/2005	A9155	Holiday Cleaners Belmont	Belmont	Perc Dry Cleaning
7/18/2005	Q8981	F J Sandoval Company	Burlingame	Asbestos Demolition, Renovation
7/21/2005	B2243	Royal Airline Linen of San Francisco	Burlingame	Perc Dry Cleaning
7/25/2005	Q6696	Graham Plastering	Pacifica	Asbestos Demolition, Renovation
7/19/2005	A6107	South Bay Marble Inc	San Carlos	Failure to Meet Permit Conditions
7/6/2005	A7097	Auto Europa Auto Body	San Mateo	Motor Vehicle Coating Operations
7/28/2005	A4956	Blue Bird Cleaners	San Mateo	Perc Dry Cleaning
7/28/2005	A5932	New Look Auto Body	San Mateo	Motor Vehicle Coating Operations
7/13/2005	Q8860	Westates Management	San Mateo	Asbestos Demolition, Renovation
7/14/2005	N1517	Bay Area Asbestos Removal	South San Francisco	Asbestos Demolition, Renovation

Santa Clara County

Received Date	Site #	Site Name	City	Regulation Title
7/21/2005	C3952	Delta Queen Car Wash	Campbell	Gasoline Dispensing Facilities
7/6/2005	A4268	Roc's Cleaners	Campbell	Perc Dry Cleaning
7/13/2005	A5472	BFI - The Recyclery	Milpitas	Major Facility Review (Title V)
7/19/2005	C9526	Alum Rock Chevron	San Jose	Gasoline Dispensing Facilities
7/6/2005	Q8686	J. Lentz Construction	San Jose	Asbestos Demolition, Renovation
7/19/2005	C0541	Petro America	San Jose	Gasoline Dispensing Facilities
7/7/2005	C8960	Unocal #7186 --Satnam	San Jose	Gasoline Dispensing Facilities

Petroleum				
7/25/2005	A1939	International Rectifier HI-REL	Santa Clara	Failure to Meet Permit Conditions
7/13/2005	A3259	RMC Pacific Materials Inc	Santa Clara	Failure to Meet Permit Conditions
7/13/2005	A3259	RMC Pacific Materials Inc	Santa Clara	Solvent Cleaning Operations
7/7/2005	D0357	Valero Refining Co SS#7850	Santa Clara	Gasoline Dispensing Facilities
7/27/2005	B2994	Western Precision Inc	Santa Clara	Failure to Meet Permit Conditions

Solano County

Received Date	Site #	Site Name	City	Regulation Title
7/26/2005	B5574	Valero Logistics Operations, L P	Benicia	Storage of Organic Liquids

Sonoma County

Received Date	Site #	Site Name	City	Regulation Title
7/19/2005	A7515	Classic Mill & Cabinet	Santa Rosa	Failure to Meet Permit Conditions; Wood Products Coatings

July 2005 Closed NOVs with Penalties by County

Alameda

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Hexion Specialty Chemicals, Inc	A0151	Fremont	\$11,000	2
San Pablo Mini Mart	C6992	Berkeley	\$750	1
Campus Mini-Mart	C7925	Berkeley	\$500	2
Hato Corp dba Blacow Service Station	D0501	Fremont	\$250	1
Bluewater Environmental Services	Q3764	San Leandro	\$1,500	1

Total Violations Closed: 7

Contra Costa

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
ConocoPhillips - San Francisco Refinery	A0016	Rodeo	\$419,000	43
USS-POSCO Industries	A2371	Bay Point	\$16,000	3
R & R Auto Service	C8939	El Cerrito	\$600	1
Golden Gate Express - Pittsburg	A4020	Pittsburg	\$500	1
Golden 7 Quick Stop	D0351	Richmond	\$1,000	1
Diablo Lincoln-Mercury Inc	B0317	Concord	\$250	1

Total Violations Closed: 50

Marin

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Victor's Ironworks	A8054	San Rafael	\$250	1
Graphic Arts Management	B5682	Novato	\$650	2

Total Violations Closed: 3

Napa

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Pierre Bolduc	Q6274	Saint Helena	\$300	1

Total Violations Closed: 1

San Francisco

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Comet Cleaners	A3480	San Francisco	\$250	1
J&R Associates	Q6361	San Francisco	\$29,000	6
Tosco Fac# 4074	C9923	San Francisco	\$500	1
Houstons Restaurant	B3054	San Francisco	\$750	1
Mabel Soo	Q4734	San Francisco	\$2,500	4
Anschutz Printing Company	A6166	San Francisco	\$500	1
Cameo Cleaners	A3460	San Francisco	\$250	1

Total Violations Closed: 15

San Mateo

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Collision Specialists Auto Center(CST Corporation)	B1843	Daly City	\$750	2
International Auto Body Service	B2617	San Bruno	\$2,000	2
BAB Auto Body and Painting	B1792	San Carlos	\$1,000	2
Hatcher Trade Press Inc	A9565	San Carlos	\$150	1
Somerset Printing	A4166	Burlingame	\$500	1
Graham Plastering	Q6275	Pacifica	\$5,000	4

Total Violations Closed: 12

Santa Clara

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Jefferson Smurfit Corporation	A0732	Santa Clara	\$3,000	1
Valero Refining Co SS#7112	D0385	San Jose	\$1,250	1
All Color Touch-Up	Q4545	San Jose	\$650	1
Dent Pro Colors	Q6985	Morgan Hill	\$350	1
Rotten Robbie #1	C8699	Los Gatos	\$1,150	2
Y & D Cabinet Shop	B2060	Santa Clara	\$500	1
Reco Gas and Minimart	C6186	San Jose	\$1,000	1
Ford Cleaners	A8296	Milpitas	\$500	1
Delta Queen Car Wash	C3952	Campbell	\$500	1
International Rectifier HI-REL	A1939	Santa Clara	\$1,000	1
Smurfit-Stone Container Enterprises	A0159	Santa Clara	\$500	1
Western Precision Inc	B2994	Santa Clara	\$1,000	1

Total Violations Closed: 13

Solano

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
R.J. Reynolds Construction	P9601	Vallejo	\$2,000	3

Total Violations Closed: 3

Sonoma

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Chevron #8893	C8516	Rohnert Park	\$500	1
Petaluma Auto Works	Q6273	Petaluma	\$250	1
Daniel Dovel	Q4766	Sebastopol	\$600	1
Strebel's Garage	Q2321	Santa Rosa	\$150	1
George Barnwell Vineyards	Q4092	Santa Rosa	\$600	1

Total Violations Closed: 5

District Wide

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Toro Petroleum Corporation	D0294	Salinas	\$650	1

Total Violations Closed: 1

ACRONYMS AND TERMINOLOGY

ABAG	Association of Bay Area Governments
AC	Authority to Construct issued to build a facility (permit)
AMBIENT AIR	The surrounding local air
AQI	Air Quality Index
ARB	[California] Air Resources Board
ATCM	Airborne Toxic Control Measure
BAAQMD	Bay Area Air Quality Management District
BACT	Best Available Control Technology
BANKING	Applications to deposit or withdraw emission reduction credits
BAR	[California] Bureau of Automotive Repair
BARCT	Best Available Retrofit Control Technology
BIODIESEL	A fuel or additive for diesel engines that is made from soybean oil or recycled vegetable oils and tallow. B100=100% biodiesel; B20=20% biodiesel blended with 80% conventional diesel
BTU	British Thermal Units (measure of heat output)
CAA	[Federal] Clean Air Act
CAL EPA	California Air Resources Board
CCAA	California Clean Air Act [of 1988]
CCCTA	Contra Costa County Transportation Authority
CEQA	California Environmental Quality Act
CFCs	Chlorofluorocarbons
CMA	Congestion Management Agency
CMAQ	Congestion Management Air Quality [Improvement Program]
CMP	Congestion Management Program
CNG	Compressed Natural Gas
CO	Carbon monoxide
EBTR	Employer-based trip reduction
EJ	Environmental Justice
EIR	Environmental Impact Report
EPA	[United States] Environmental Protection Agency
EV	Electric Vehicle
HC	Hydrocarbons
HOV	High-occupancy vehicle lanes (carpool lanes)
hp	Horsepower
I&M	[Motor Vehicle] Inspection & Maintenance ("Smog Check" program)
ILEV	Inherently Low Emission Vehicle
JPB	[Peninsula Corridor] Joint Powers Board
LAVTA	Livermore-Amador Valley Transit Authority ("Wheels")
LEV	Low Emission Vehicle

LNG	Liquefied Natural Gas
MPG	Miles per gallon
MTC	Metropolitan Transportation Commission
NAAQS	National Ambient Air Quality Standards (federal standards)
NO _x	Nitrogen oxides, or oxides of nitrogen
NPOC	Non-Precursor Organic Compounds
NSR	New Source Review
O ₃	Ozone
PM _{2.5}	Particulate matter less than 2.5 microns
PM ₁₀	Particulate matter (dust) less than 10 microns
PM _{>10}	Particulate matter (dust) over 10 microns
POC	Precursor Organic Compounds
pphm	Parts per hundred million
ppm	Parts per million
PUC	Public Utilities Commission
RFG	Reformulated gasoline
ROG	Reactive organic gases (photochemically reactive organic compounds)
RIDES	RIDES for Bay Area Commuters
RTP	Regional Transportation Plan
RVP	Reid vapor pressure (measure of gasoline volatility)
SCAQMD	South Coast [Los Angeles area] Air Quality Management District
SIP	State Implementation Plan (prepared for <i>national</i> air quality standards)
SO ₂	Sulfur Dioxide
TAC	Toxic Air Contaminant
TCM	Transportation Control Measure
TFCA	Transportation Fund for Clean Air [BAAQMD]
TIP	Transportation Improvement Program
TMA	Transportation Management Association
TOS	Traffic Operations System
tpd	tons per day
Ug/m ³	micrograms per cubic meter
ULEV	Ultra low emission vehicle
ULSD	Ultra low sulfur diesel
USC	United States Code
UV	Ultraviolet
VMT	Vehicle miles traveled (usually per <i>day</i> , in a defined area)
VTA	Santa Clara Valley Transportation Authority
ZEV	Zero Emission Vehicle

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Townsend and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: September 21, 2005

Re: Report of Division Activities for the month of August 2005

ADMINISTRATIVE SERVICES DIVISION – J. MCKAY, ACTING DIRECTOR

Status of various capital projects in process:

	<u>Started</u>	<u>% Complete</u>	<u>Completion</u>
Phase III Fire Alarm System	August 05	50	Nov 30 2005
Phase IV HVAC Upgrade	August 05	20	Dec 30 2005
ADA upgrades for 7th, 4th floor	August 05	70	Oct 30 2005
Replace fire doors	NA	NA	Oct 15 2005
7th and 4th floor lighting	NA	NA	Oct 30 2005
All electrical closets up to code:	NA	NA	Oct 1 2005
Garage pedestrian early warning:	August 29	10	Sept 15 2005
Emergency generator lights	NA	NA	Sept 30 2005

COMPLIANCE & ENFORCEMENT DIVISION – K. WEE, DIRECTOR

Enforcement Program

On August 24, 2005, five odor complaints were confirmed by inspection staff to Pacific Steel Castings, Plant #3 during the morning and early afternoon. This violation for causing a public nuisance was the fourth violation since March 2005. The company has been taking short-term measures in an attempt to mitigate the odors, but the surrounding community continues to complain about the “burnt pot handle” odors.

Staff continues to review the reports submitted by the Tesoro Refinery as part of their stipulated order of abatement requirements. Under review are the feasibility studies for control alternatives to the #5 Boiler, the critical path analysis for switching to back up controls, and the Coker startup procedures.

Compliance Assurance Program

On August 1, 2 and 3, Inspection Staff began conducting random sampling of container ship fuel at marine vessels docked at the Port of Oakland in conjunction with the U.S. Coast Guard. Results from the samples showed all three ships were in compliance with the regulatory limit (< 3.34% Sulfur by weight). One sample was borderline compliant. Staff

will begin drafting a Compliance Assistance advisory for the local marine agents. Random sampling of these ships will continue at the port to ensure compliance with sulfur limits in fuel.

On August 15, inspection staff in conjunction with the Technical Division began auditing bulk petroleum terminals primarily in the south bay for compliance with District Regulation 8, Rule 5, 18, 33 etc. The majority of the equipment inspected so far has been in compliance; however, there have been violations of various administrative requirements such as record keeping and semi-annual tank inspections.

The inspection staff has completed 90% of the Title V inspections that are due for completion by September 30, 2005. 1,112 inspections were conducted at permitted sources in August 2005, 981 inspections were conducted in August of 2004, 161 inspections were conducted at non-permitted sources (Asbestos & Open Burns), 183 inspections were conducted in 2004.

Incident Response

On August 24, 2005 at approximately 4:30 pm Tesoro Refinery in Martinez experienced a fire at the Fluid Catalytic Cracking Unit (FCCU) main air blower. District Inspectors, Contra Costa County Agencies (Hazardous Materials Division, Sheriff Department, & Fire Department), and Cal-OSHA responded to the incident. A Level-2 (Potential Offsite Impacts) emergency notification was issued on the County's Warning System at 4:22 pm. Ambient air samples were collected downwind of the refinery and the results were all below the level of detection. The ground level monitor downwind of the refinery did not detect any elevated sulfur compounds. The District received one odor complaint from Bay Point. The fire was reported under control at 5:05 pm, followed by the county all-clear notification at 5:29 pm. The FCCU was shutdown without incident and isolated.

Compliance Assistance Program

On August 17, staff held an internal workgroup meeting to discuss the New United Motor Manufacturers Inc. (NUMMI) Environmental Excellence Program. The group targeted a September meeting to present its suggestions and solicit feedback from NUMMI staff.

On August 3, 2005, staff attended a meeting organized by the Bay Area World Trade Center organization. A consultant presented an advanced logistics system pilot program sponsored by the Port of Oakland. The goals of the pilot program are to optimize container turns, increase security, increase communication, decrease truck idle time and decrease congestion. Twenty trucking companies will participate in the 120 day pilot program with a start date of September 6, 2005. Enforcement staff conducted a meeting of the Idling Truck workgroup at the Port of Oakland Office in Jack London Square on August 30, 2005. The meeting was attended by marine terminal operators, independent truckers, concerned citizen groups and regulatory agencies.

Staff completed Green Business (GB) Compliance Certifications for EarthCare Landscaping, Cupertino; Tam Organics, San Jose; Dana Meyer Foreign Car Service, Albany; RyNck Tire and Auto Centers, Livermore; and Odin's Hammer, Berkeley. In addition, 10 compliance checks were performed for Green Business candidates for the state's 'WRAP (Waste Reduction Awards Program) via the San Francisco GB coordinator.

Staff issued a Compliance Advisory to the five bay area refinery facilities notifying them of the flaring notification requirement in Regulation 12, Rule 12 that took effect on August 20. Another Compliance Advisory was posted for the new vapor recovery requirements for Gasoline Dispensing Facilities that begin to take effect on September 1. Over the Phone

Interpretation (OPI) use for the month of June included Korean and Spanish languages. For the month of July, OPI use included Spanish and Mandarin Chinese languages.

Training

Staff is working to finalize New Inspector Training (NIT), currently scheduled to begin October 17. Staff helped research survey data being conducted by the California Air Pollution Control Officers Association (CAPCOA) regarding the number of training days attended by inspection staff over the period 2002 to 2004. It ranged from 9 to 10 days of CARB training.

Operations

Staff reviewed and approved the Naturally Occurring Asbestos (NOA) Asbestos Dust Mitigation Plan (ADMP) for the Mission Bay Project in San Francisco, and is currently reviewing the ADMP for the Presidio Landscaping Project in San Francisco. Neither site has sensitive receptors within a quarter mile, so no air monitoring will be required. Staff reviewed and approved the Sprig Farm, Solano County, Marsh Management Smoke Management Plan (SMP). Staff also reviewed and approved five Prescribed Burn SMPs for Point Reyes National Seashore.

Staff received a revised draft of the request for proposal (RFP) prepared by Thayer Consulting (Thayer) based on meetings and conversations with staff. Upon inclusion of staff's weighting formula, the package will be submitted to Legal for review prior to EO/APCO approval and release to potential bidders.

(See Attachment for Activities by County)

ENGINEERING DIVISION – B. BATEMAN, DIRECTOR
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Toxics Program

The Toxic Evaluation Section completed a total of 32 risk screens during August. The majority of these risk screens were for diesel engine emergency generators and gas stations. Staff continued the transition to the recently adopted Air Toxics New Source Review Rule and new health risk screening procedures. Staff continued work associated with the Health Risk Assessment being prepared by Pacific Steel Casting Company in Berkeley.

Title V Program

The District issued proposed revisions (Revision 3) to the Title V permits for the following four Bay Area refineries: Chevron Refinery (Richmond), Tesoro Refinery (Martinez), ConocoPhillips Refinery (Rodeo), and Valero Refinery (Benicia). The public comment period ended for renewal of the Title V permit for Duke Energy (Oakland) and San Francisco Drydock (San Francisco). The renewal permits for Mirant Delta (Antioch), Cardinal Cogen (Palo Alto), and City of Santa Clara (Santa Clara) were issued. Applications for renewal permits for Shore Terminals (Crockett), Shore Terminals (Martinez), Anheuser Busch (Fairfield), Crockett Cogeneration (Crockett), and Gas Recovery Systems (Menlo Park) were submitted.

Permit Evaluation Program

Permit application submittals remain at high levels with 217 applications received during August. Staff met with Shell Refinery to discuss an ethanol storage project, participated in a meeting related to the NUMMI Environmental Excellence project, and participated in CAPCOA meetings to discuss CARB guidance on the New Source Review Restoration Act of 2003 (SB 288).

Engineering Special Projects Program

A new data entry program was finalized, and data entry began on hundreds of supplemental information forms submitted by facilities in response to reporting requirements of the State Airborne Toxic Control Measure (ATCM) for stationary diesel engines. Staff handed a number of requests for interpretation of ATCM requirements for various scenarios at facilities, and provided a presentation to a major industry association on implementation of the ATCM.

Community Air Risk Evaluation (CARE) Program

The next CARE Task Force Meeting has been set for October 20th at the District office. Work continued on implementing a recently acquired Geographical Information System (GIS) for use in the CARE Program.

INFORMATION SYSTEMS DIVISION – J. McKAY, DIRECTOR

Toolsets for Permits/Enforcement/Legal

Oracle database design continues. Migration from Ingress and HP flat files to Oracle continues to be addressed concurrently. Although underlying structured database design can be performed apart from the design of systems for Content Management (forms and documents), the two elements will be pursued concurrently and each process will inform the other.

The District has received responses from eight vendors in its Request For Information (RFI) prior to vendor demonstration selection. This process will result in Vendor selection for targeted demonstrations followed by in-house pilot projects. An update of the extensive requirement documentation that was previously developed continues.

LEGAL DIVISION – B. BUNGER, DISTRICT COUNSEL

The District Counsel's Office received 155 Violations reflected in Notices of Violation ("NOVs") for processing.

Mutual Settlement Program staff initiated settlement discussions regarding civil penalties for 62 Violations reflected in NOVs. In addition, Mutual Settlement Program staff sent 6 Final 30 Day Letters regarding civil penalties for 11 Violations reflected in NOVs. Finally, settlement negotiations by Mutual Settlement Program staff resulted in collection of \$32,000 in civil penalties for 33 Violations reflected in NOVs.

Counsel in the District Counsel's Office initiated settlement discussions regarding civil penalties for 33 Violations reflected in NOVs. Settlement negotiations by counsel in the District Counsel's Office resulted in collection of \$19,750 in civil penalties for 14 Violations.

(See Attachment for Penalties by County)

PLANNING DIVISION – H. HILKEN, DIRECTOR

Grant Programs

Staff met with representatives of West State Alliance to discuss potential truck replacement programs in West Oakland. Staff met with Caltrain and Metropolitan Transportation Commission staff to discuss Caltrain electrification plans and potential funding sources for the electrification project. Staff provided comments to the California Air Resources Board on the proposed Carl Moyer Program guidelines. Staff continued the evaluation of the fiscal year 2005/2006 grant applications for the Transportation Fund for Clean Air (TFCA) Regional Fund. A total of 530 eligible light-duty vehicles were purchased and scrapped by the three Vehicle Buy Back (VBB) Program contractors.

Rule Development Program

Staff released a public workshop notice regarding proposed amendments to District Regulation 8, Rule 28: Episodic Emissions from Pressure Relief Devices in Petroleum Refineries and Chemical Plants. The workshop is scheduled from 6 to 8 pm on September 14, 2005 at the Rodeo Senior Center, 189 Parker Avenue, Rodeo, CA. Staff participated in a conference call with CARB staff and contractors regarding refinery wastewater treatment emissions modeling.

Air Quality Planning Program

Staff attended the Northern California Agencies 8-hour Ozone SIP/Transport Work Group meeting, a multi-agency meeting to review ARB modeling for northern California for the national 8-hour ozone standard. Staff assisted in the coordination of a presentation on State-wide climate change programs made to the Advisory Council Technical and Air Quality Planning Committees by Diane Wittenberg, President of the California Climate Action Registry. Staff wrote six letters regarding air quality impacts of development projects and plans in the Bay Area: Point Richmond Shores - City of Richmond; Mt. Diablo Medical Center - City of Concord; Town of Corte Madera General Plan; Fallon Village Project - City of Dublin; City of Pleasanton Air Quality Element; and Town of Tiburon General Plan.

Research and Modeling

Staff hosted the Modeling Advisory Committee meeting to discuss model sensitivity results of 8-hour ozone to emissions changes. Staff participated in the Northern California Agencies 8-Hour Ozone SIP/Transport Work Group meeting to discuss SIP plans for the 8-hour ozone standard and to assess inter-basin pollutant transport. Staff participated in one meeting and one workshop sponsored by the CCOS Technical Committee where corroborative analysis, seasonal modeling, and model performance issues were discussed.

PUBLIC INFORMATION & OUTREACH – T. GALVIN LEE, DIRECTOR

In August, significant onshore winds created mostly moderate conditions with no Spare the Air days. The 2005 Spare the Air media and advertising campaign continued.

Staff participated in the CAPCOA forum to discuss the District's education program and the possibility of transferring it to other Air Districts. Staff made a presentation to the Laidlaw Bus Company and their employees for the need to retrofit their diesel buses in the North Richmond School District. Staff participated in three events in Fremont, San Jose, and

Oakland. The summer interns sent out copies of the "Sparing the Air for a Healthier Future" DVD to over 1600 Bay Area libraries, from grade school level through college, and all public libraries. The interns also assisted in organizing the District's photo archive. A news clippings archive covering 50 years of Air District related stories from the San Francisco Chronicle is also being compiled.

Teresa Lee, the Director of Public Information, announced her retirement effective at the end of September.

TECHNICAL DIVISION – G. KENDALL, DIRECTOR

Air Quality

Air quality in the Bay Area stayed in the Good category most of August. The Good air quality was a result of strong onshore flow and cool temperatures aloft. The onshore flow kept temperatures in the low 80's at inland locations, which is below normal. On four days, the onshore flow weakened, and temperatures rose into the mid to upper 90's. On those days: August 11, 26, 27, and 28, air quality was in the Moderate category for ozone. The District station at Livermore recorded exceedances of the 1-hour and 8-hour State ozone standards on August 11th.

Air Monitoring

Thirty-two of the thirty-three air monitoring stations were operational during the month of August 2005. The Crockett station, located at a water district facility, is shut down during seismic upgrades at that facility.

Meteorology and Forecasting

May 2005 air quality data were quality assured and entered into the EPA Air Quality System (AQS) database. Staff continued to make daily air quality and burn forecasts. Staff attended a two day workshop on use of the AQS Discoverer query software at the EPA Region 9 office.

Quality Assurance

The Quality Assurance (QA) group conducted regular, mandated performance audits of 52 monitors at 17 District air-monitoring stations. QA staff also conducted a shutdown audit at the District's air-monitoring station in Concord before the station's subsequent relocation to another site in Concord.

QA staff conducted performance audits on the Ground Level Monitoring (GLM) networks in at the ConocoPhillips and Valero Refineries; SO₂ monitors were tested at 6 GLM stations, H₂S monitors were tested at 7 GLM stations.

Laboratory

In addition to the ongoing, routine analyses, two ambient air samples taken at the vicinity of a lube oil fire in Tesoro Refining and Marketing Co. in Martinez were analyzed for sulfur compounds and total non-methane organic (NMOC) compounds. The sulfur content of three fuel oil samples from container ships at the Port of Oakland were determined. Four gaseous samples from the exhaust vent of a Dissolved Air Flotation (DAF) Unit at ConocoPhillips Refinery in Rodeo were analyzed for hydrocarbons and reduced sulfur compounds. Three

impinger samples from a sulfur recovery stack unit of the same company were analyzed for ammonia content. Two heavy gas oil samples also from ConocoPhillips Refinery in Rodeo were analyzed for sulfur content and the sample headspace was analyzed for reduced sulfur and hydrocarbon compounds.

The laboratory analyzed 10 ambient air samples for toxic and NMOC compounds in support of CARB's project to quantify emissions from commercial aircraft engines at the Oakland airport. The laboratory was audited by CARB for toxic and NMOC compounds analyses.

Source Test

Ongoing Source Test activities included Continuous Emissions Monitoring (CEM) Field Accuracy Tests, source tests, gasoline cargo tank testing, and evaluations of tests conducted by outside contractors. The ConocoPhillips Refinery's open path monitor monthly report for the month of July was reviewed. The Source Test Section provided ongoing participation in the District's Further Studies Measures for refineries.

These facilities have received one or more Notices of Violations Report period: August 1, 2005 – August 31, 2005

Alameda County

Received Date	Site #	Site Name	City	Regulation Title
8/24/2005	C9509	ARCO Facility #05369 - CHEUK M FUNG	Fremont	Gasoline Dispensing Facilities
8/22/2005	B2510	Chatz Roasting Company	Hayward	Failure to Meet Permit Conditions
8/15/2005	A2656	Commercial Casework, Inc	Fremont	Authority to Construct; Permit to Operate
8/2/2005	Q9348	Darren Lee	Oakland	Asbestos Demolition, Renovation
8/22/2005	C0189	Nella Oil	Fremont	Gasoline Dispensing Facilities
8/22/2005	A0030	Owens-Brockway Glass Container Inc	Oakland	Particulate Matter and Visible Emissions
8/11/2005	A0703	Pacific Steel Casting Co-Plant #2	Berkeley	Public Nuisance
8/29/2005	B2728	Waste Management Inc	San Leandro	Authority to Construct; Permit to Operate

Contra Costa County

Received Date	Site #	Site Name	City	Regulation Title
8/10/2005	C9730	American Gasoline Inc	Martinez	Permit to Operate; Failure to Meet Permit Conditions; Gasoline Dispensing Facilities
8/22/2005	A0092	Antioch Building Materials Company	Pittsburg	Particulate Matter and Visible Emissions
8/10/2005	A0010	Chevron Products Company	Richmond	Flare Monitoring at Petroleum Refineries; Continuous Emission Monitoring and Recordkeeping; Failure to Meet Permit Conditions; Storage of Organic Liquids
8/22/2005	A0016	ConocoPhillips - San Francisco Refinery	Rodeo	Public Nuisance; Equipment Leaks; Storage of Organic Liquids
8/22/2005	A0227	Criterion Catalysts Company LP	Pittsburg	Failure to Meet Permit Conditions
8/22/2005	A0031	Dow Chemical Company	Pittsburg	Failure to Meet Permit Conditions; Process Vessel Depressurization; Storage of Organic Liquids
8/2/2005	Q9219	Jeff Figone	Walnut Creek	Asbestos Demolition, Renovation
8/2/2005	Q8779	Michael James Const., Inc.	Walnut Creek	Asbestos Demolition, Renovation

8/24/2005	B0477	Pacific Bell	San Ramon	Asbestos Demolition, Renovation
8/25/2005	A0011	Shell Martinez Refinery	Martinez	Failure to Meet Permit Conditions; Sulfur Dioxide
8/22/2005	B2758	Tesoro Refining and Marketing Company	Martinez	Standards of Performance for New Stationary Sources; Open Burning; Particulate Matter and Visible Emissions; sulfur Dioxide

Marin County

Received Date	Site #	Site Name	City	Regulation Title
8/24/2005	C8799	Gas at Jefferson	Redwood City	Gasoline Dispensing Facilities
8/30/2005	A1179	Redwood Landfill Inc	Novato	Authority to Construct; Permit to Operate; Solid Waste Disposal Sites

Napa County

Received Date	Site #	Site Name	City	Regulation Title
8/10/2005	Q9544	Galo MacLean Nursery	Napa	Open Burning
8/11/2005	A7101	Napa Sanitation District - Soscol	Napa	Failure to Meet Permit Conditions
8/10/2005	Q9541	Vino Farms Inc	Napa	Open Burning

San Francisco County

Received Date	Site #	Site Name	City	Regulation Title
8/22/2005	C8759	Golden Gate Park Shell	San Francisco	Gasoline Dispensing Facilities
8/1/2005	B0582	Jeremiah's Pick Coffee Company	San Francisco	Failure to Meet Permit Conditions
8/1/2005	A0026	Mirant Potrero, LLC	San Francisco	Failure to Meet Permit Conditions
8/22/2005	B2495	Pacific Cement Corp	San Francisco	Particulate Matter and Visible Emissions
8/22/2005	A0915	San Francisco Petroleum Co	San Francisco	Gasoline Dispensing Facilities
8/29/2005	A4672	Sundown Cleaners	San Francisco	Perc Dry Cleaning
8/29/2005	B0436	Sunshine Cleaners	San Francisco	Perc Dry Cleaning
8/25/2005	C9656	Unocal #3605	San Francisco	Gasoline Dispensing Facilities
8/1/2005	A6169	VIP Litho	San Francisco	Graphics Arts Printing and Coating Operations

San Mateo County

Received Date	Site #	Site Name	City	Regulation Title
8/1/2005	A3624	Bay Area Industrial Finishing, Inc	Redwood City	Surface Coating of Miscellaneous Metal Parts and Products
8/24/2005	C9772	Fifth Avenue Enterprises dba Silver Gas	Redwood City	Gasoline Dispensing Facilities
8/4/2005	A4177	New A-1 Cleaners	San Mateo	Perc Dry Cleaning
8/4/2005	A1130	Peninsula Cleaners	Millbrae	Perc Dry Cleaning
8/4/2005	B2243	Royal Airline Linen of San Francisco	Burlingame	Perc Dry Cleaning
8/1/2005	B2197	United Airlines SFOPV	San Francisco	Authority to Construct; Permit to Operate
8/4/2005	A7694	Waldschmidt Automotive	San Carlos	Permit to Operate

Santa Clara County

Received Date	Site #	Site Name	City	Regulation Title
8/24/2005	C8386	Beacon 1-722	Gilroy	Gasoline Dispensing Facilities
8/29/2005	A5472	BFI - The Recyclery	Milpitas	Failure to Meet Permit Conditions
8/22/2005	C9319	BP Service Station/TOSCO	Milpitas	Gasoline Dispensing Facilities
8/29/2005	A1658	ECS Refining	Santa Clara	Failure to Meet Permit Conditions
8/10/2005	B1670	Gas Recovery Systems, Inc	San Jose	Failure to Meet Permit Conditions; Nitrogen Oxides and Carbon Monoxide from Stationary Internal Combustion Engines
8/29/2005	A0017	Hanson Permanente Cement	Cupertino	Failure to Meet Permit Conditions
8/15/2005	B2417	Linear Technology Corp	Milpitas	Failure to Meet Permit Conditions
8/10/2005	B1696	Maxim Integrated Products, Incorporated	San Jose	Failure to Meet Permit Conditions
8/1/2005	A9941	McLachlan Wood Finishing Co	Mountain View	Failure to Meet Permit Conditions
8/2/2005	C9679	Montague Car Wash	San Jose	Gasoline Dispensing Facilities
8/15/2005	B4815	Network Appliance	Sunnyvale	Failure to Meet Permit Conditions
8/11/2005	Q9595	Perfect Climate	Cupertino	Asbestos Demolition, Renovation
8/15/2005	B1559	Ray L Hellwig Plumbing & Heating Inc	Santa Clara	Authority to Construct; Permit to Operate
8/10/2005	A3259	RMC Pacific Materials Inc	Santa Clara	Failure to Meet Permit Conditions
8/29/2005	A5079	S J Valley Plating Inc	Santa Clara	Failure to Meet Permit Conditions
8/22/2005	Q4808	TCC Total Construction, Inc.	San Jose	Asbestos Demolition, Renovation
8/24/2005	C9323	Tosco Northwest Company	Cupertino	Gasoline Dispensing Facilities
8/24/2005	D0387	Valero Refining Company	San Jose	Gasoline Dispensing Facilities
8/29/2005	B1467	Vivid Inc	Santa Clara	Surface Coating of Miscellaneous Metal Parts and Products
8/29/2005	B1467	Vivid Inc	Santa Clara	Surface Coating of Plastic Parts and Products

Solano County

Received Date	Site #	Site Name	City	Regulation Title
8/22/2005	C9572	Britton's Mini Mart	Vallejo	Gasoline Dispensing Facilities

Sonoma County

Received Date	Site #	Site Name	City	Regulation Title
8/23/2005	A5395	Boomer's Fabricare Ctr Inc	Santa Rosa	Perc Dry Cleaning
8/22/2005	B7259	T Holleman & Co Cabinetmakers & Designers	Boyes Hot Springs	Authority to Construct; Permit to Operate

Outside Bay Area

Received Date	Site #	Site Name	City	Regulation Title
8/11/2005	Q0274	Reeve Knight Construction	Roseville	Asbestos Demolition, Renovation
8/24/2005	C7838	Casa De Fruta Chevron	Hollister	Gasoline Dispensing Facilities

August 2005 Closed NOVs with Penalties by County**Alameda**

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Russell Heath Cleaners	B1780	San Leandro	\$150	1

Total Violations Closed: 1

Contra Costa

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
FTG Construction Materials	A9343	Brentwood	\$800	1
Gas City	C9980	Antioch	\$500	1
Joseph Sweet	Q6013	Clayton	\$750	1
Moraga Auto Care	D0532	Moraga	\$650	1
Ygnacio Valley Shell #136245	C1749	Walnut Creek	\$650	1

Total Violations Closed: 5

Marin

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Jakela Inc.	K3771	Novato	\$4,000	2
Lucas Digital Ltd LLC	A1470	San Rafael	\$1,000	1

Total Violations Closed: 3

San Francisco

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Artisana	Q2209	San Francisco	\$2,750	4
Earl Scheib Inc of California	A8007	San Francisco	\$3,250	3
Equity One	Q2983	San Francisco	\$4,000	3
Fine Arts Cleaners	A8792	San Francisco	\$500	1
Hertz Rental Car Facility	C9896	San Francisco	\$500	1
Idl Torres	Q7235	San Francisco	\$1,500	2

Total Violations Closed: 14

San Mateo

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Burlingame One Hour Cleaners	A5283	Burlingame	\$350	1
C G & E Auto Body	B0893	Redwood City	\$500	1
Multi Craft Auto Body	B5262	Burlingame	\$200	1
Reliance Construction	N4905	Redwood City	\$1,000	1
Westlake Village Apts	L8898	Daly City	\$8,000	5

Total Violations Closed: 9

Santa Clara

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Cleaning & Alteration Shop	B1642	San Jose	\$500	1
Corby Gould Pools	Q3501	Mountain View	\$4,000	1
El Camino Hospital	A4272	Mountain View	\$2,000	1
George McKenzie	F6599	Saratoga	\$200	1
Hiep Hoa Auto Body	B1611	San Jose	\$350	1
House of Printing	A7324	Mountain View	\$1,500	1
Oak Grove Printing	A9375	San Jose	\$1,050	1
Park Cleaners	A5341	San Jose	\$300	1
Sae Materials	B6058	Santa Clara	\$1,000	1
Spectra-Physics Lasers	A0548	Mountain View	\$7,500	1
Tosco Facility #2611209	C0609	San Jose	\$500	1
Tosco Facility #6429	C4171	San Jose	\$500	1

Total Violations Closed: 12

Sonoma

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Jeff Robertson	P8436	Santa Rosa	\$750	2
Redwood Shell	C9139	Rohnert Park	\$750	1

Total Violations Closed: 3

ACRONYMS AND TERMINOLOGY

ABAG	Association of Bay Area Governments
AC	Authority to Construct issued to build a facility (permit)
AMBIENT AIR	The surrounding local air
AQI	Air Quality Index
ARB	[California] Air Resources Board
ATCM	Airborne Toxic Control Measure
BAAQMD	Bay Area Air Quality Management District
BACT	Best Available Control Technology
BANKING	Applications to deposit or withdraw emission reduction credits
BAR	[California] Bureau of Automotive Repair
BARCT	Best Available Retrofit Control Technology
BIODIESEL	A fuel or additive for diesel engines that is made from soybean oil or recycled vegetable oils and tallow. B100=100% biodiesel; B20=20% biodiesel blended with 80% conventional diesel
BTU	British Thermal Units (measure of heat output)
CAA	[Federal] Clean Air Act
CAL EPA	California Air Resources Board
CCAA	California Clean Air Act [of 1988]
CCCTA	Contra Costa County Transportation Authority
CEQA	California Environmental Quality Act
CFCs	Chlorofluorocarbons
CMA	Congestion Management Agency
CMAQ	Congestion Management Air Quality [Improvement Program]
CMP	Congestion Management Program
CNG	Compressed Natural Gas
CO	Carbon monoxide
EBTR	Employer-based trip reduction
EJ	Environmental Justice
EIR	Environmental Impact Report

EPA	[United States] Environmental Protection Agency
EV	Electric Vehicle
HC	Hydrocarbons
HOV	High-occupancy vehicle lanes (carpool lanes)
hp	Horsepower
I&M	[Motor Vehicle] Inspection & Maintenance ("Smog Check" program)
ILEV	Inherently Low Emission Vehicle
JPB	[Peninsula Corridor] Joint Powers Board
LAVTA	Livermore-Amador Valley Transit Authority ("Wheels")
LEV	Low Emission Vehicle
LNG	Liquefied Natural Gas
MPG	Miles per gallon
MTC	Metropolitan Transportation Commission
NAAQS	National Ambient Air Quality Standards (federal standards)
NO _x	Nitrogen oxides, or oxides of nitrogen
NPOC	Non-Precursor Organic Compounds
NSR	New Source Review
O ₃	Ozone
PM _{2.5}	Particulate matter less than 2.5 microns
PM ₁₀	Particulate matter (dust) less than 10 microns
PM _{>10}	Particulate matter (dust) over 10 microns
POC	Precursor Organic Compounds
pphm	Parts per hundred million
ppm	Parts per million
PUC	Public Utilities Commission
RFG	Reformulated gasoline
ROG	Reactive organic gases (photochemically reactive organic compounds)
RIDES	RIDES for Bay Area Commuters
RTP	Regional Transportation Plan
RVP	Reid vapor pressure (measure of gasoline volatility)
SCAQMD	South Coast [Los Angeles area] Air Quality Management District
SIP	State Implementation Plan (prepared for <i>national</i> air quality standards)
SO ₂	Sulfur Dioxide
TAC	Toxic Air Contaminant
TCM	Transportation Control Measure
TFCA	Transportation Fund for Clean Air [BAAQMD]
TIP	Transportation Improvement Program
TMA	Transportation Management Association
TOS	Traffic Operations System
tpd	tons per day
Ug/m ³	micrograms per cubic meter
ULEV	Ultra low emission vehicle
ULSD	Ultra low sulfur diesel

USC	United States Code
UV	Ultraviolet
VMT	Vehicle miles traveled (usually per <i>day</i> , in a defined area)
VTA	Santa Clara Valley Transportation Authority
ZEV	Zero Emission Vehicle

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Marland Townsend and
Members of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: September 12, 2005

Re: Consider Approval of Resolution Regarding Authority of the
Non-Board Administrative Committee

RECOMMENDATION

Consider approval of resolution vesting authority of the non-Board Administrative Committee with the Executive Officer/APCO.

BACKGROUND

On March 3, 2004, the Board of Directors created a non-Board Administrative Committee with the authority to administer and amend benefit plan documents when necessitated by changes to tax laws, implementation of Board approved labor agreements, and Board direction on benefits for non-represented employees. Subsequently, on May 19, 2004, the Board of Directors clarified that the Administrative Committee's authority included the ability to modify and/or expand investment options offered through employee benefit plans. The District maintains thirteen different benefit plans for employees. Each plan has associated documents that require periodic amendment to comply with changes to tax laws and to reflect Board approved changes to benefits that may have been negotiated with the Employees' Association or otherwise directed by the Board. Administrative amendments to these benefit plan documents has previously required scheduling as a Board agenda item although the amendments to the documents are strictly administrative in nature and have no budget or policy impact in and of themselves.

DISCUSSION

Vesting the Executive Officer/APCO with the authority currently vested with the Non-Board Administrative Committee will allow the Executive Officer/APCO to act on routine administrative matters without having to call a meeting of the Administrative Committee, which can be difficult to schedule in a timely manner. The Executive Officer/APCO may designate other senior management employees to assist in evaluating any changes to employee benefit plans and/or modifications or additions to investment options on a regular basis to facilitate thorough review of any benefit plan changes and/or modification or expansion of investment options.

The Non-Board Administrative Committee currently consists of the Executive Officer/APCO, the District Counsel, and the Human Resources Officer. The authority of the Non-Board Administrative Committee that would be conveyed to the Executive Officer/APCO would be limited to administering and amending plan documents consistent with changes to benefits that have already been approved by the Board, and/or such

amendments that are necessitated by changes to tax and/or other laws in order to maintain current benefits; and, modification or expansion of benefit options offered through employee benefit plans.

BUDGET CONSIDERATION/FINANCIAL IMPACT

There is no fiscal impact beyond what has already been considered and approved by the Board of Directors.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Reviewed by: Brian Bungler
Prepared by: Michael K. Rich

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

RESOLUTION No. 2005-

A Resolution of the Bay Area Air Quality Management District Board of Directors
Vesting the Authority of the Non-Board Administrative Committee with the Executive
Officer/APCO

WHEREAS, Pursuant to Resolution 2004-04 the Non-Board Administrative Committee was authorized by the Board to execute amendments to the employee benefit plans from time to time due to changes in the tax or other governing law and due to approval by the BAAQMD's Board of Directors (the "Board") of changes in or additions to employee benefits;

WHEREAS, the Board subsequently clarified that the Non-Board Administrative Committee is also authorized to modify or expand investment options provided through employee benefit plans;

WHEREAS, vesting the Executive Officer/APCO with the authority of the Non-Board Administrative Committee will result in a more efficient and timely administration of the District's benefit programs;

WHEREAS, the Executive Officer/APCO may designate other senior management employees to assist in evaluating any changes in or additions to employee benefits; including any modification or expansion of investment options provided through employee benefit plans;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Bay Area Air Quality Management District hereby vests authority of the Non-Board Administrative Committee with the Executive Officer/APCO.

The foregoing resolution was duly and regularly introduced, passed and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of Director _____, seconded by Director _____, on the ____ day of _____, 2005 by the following vote of the Board:

AYES:

NOES:

ABSENT:

Marland Townsend
Chairperson of the Board of Directors

ATTEST:

Mark Ross, Secretary of the Board of Directors

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

TO: Chairperson Marland Townsend and
Members of the Board of Directors

FROM: Jack P. Broadbent
Executive Officer/APCO

DATE: September 8, 2005

SUBJECT: Consider Approval of Request to Transfer Signature Authorization

RECOMMENDED ACTION

The Board of Directors is requested to consider approval of staff recommendation to change the current signature authorization to Jack P. Broadbent and Brian C. Bunger to sign orders drawn by the District on District funds held by the Treasurer of San Mateo County, and to have signature plates made for the District's check signing machine.

BACKGROUND

The Board of Directors has previously authorized the Executive Officer/APCO and Director of Administrative Services to sign orders drawn by the District on District funds held by the Treasurer of San Mateo County. It is appropriate to modify the signatures to reflect the current organizational structure and to accordingly transfer signature authorization to that of the Executive Officer/APCO and that of the District Counsel, to sign orders drawn by the District on District funds.

BUDGET CONSIDERATION/FISCAL IMPACT

Staff estimates that the cost of executing the signatory change will be less than \$200.

Respectfully Submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Michael White
Reviewed by: Jeff Mckay

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Resolution No. 2005 - _____

A Resolution Notifying the County Treasurer and County Controller of San Mateo County of a Change in Authorized Signatures

WHEREAS, the Board of Directors of the Bay Area Air Quality Management District (District) has previously authorized the Executive Officer/Air Pollution Control Officer (APCO) and Director of Administrative Services to sign orders drawn by the District on District funds held by the Treasurer of San Mateo County;

WHEREAS, the Director of Administrative Services is currently on administrative leave;

WHEREAS, to better reflect the District's current organizational structure, District staff recommends that the signing authority be granted to Jack P. Broadbent, Executive Officer/APCO and Brian C. Bunger, District Counsel;

WHEREAS, the Board of Directors concurs with the staff's recommendation;

NOW THEREFORE, BE IT RESOLVED that the Board of Directors of the Bay Area Air Quality Management District hereby authorize the Executive Officer/APCO, Jack P. Broadbent and Brian C. Bunger, District Counsel to sign orders drawn by the District on District funds held by the Treasurer of San Mateo County,

The foregoing resolution was duly and regularly introduced, passed and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of Director _____, seconded by Director _____, on the _____ day of _____, 2005 by the following vote of the Board:

AYES:

NOES:

ABSENT:

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Marland Townsend and
Members of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: September 13, 2005

Re: Report of the Mobile Source Committee Meeting of September 13, 2005

RECOMMENDED ACTIONS

Due to lack of a quorum, the Committee is forwarding without recommendation for Board of Director consideration and approval the following:

- A) *Selection of Environmental Engineering Studies, Inc., Pick-N-Pull, and Pick Your Part as the vehicle scrapping contractors for the fiscal year (FY) 2005/06 Vehicle Buy Back (VBB) Program;*
- B) *Authorize the Executive Officer/APCO to execute contracts in the total amount of \$7 million allocated for this purpose to the VBB Program in FY 2005/06 for vehicle scrapping and related services with Environmental Engineering Studies, Inc., Pick-N-Pull, and Pick Your Part, to be distributed on a monthly reimbursement basis;*
- C) *Selection of ICF Consulting as the contractor to conduct performance reviews of selected TFCA projects; and*
- D) *Authorize the Executive Officer/APCO to execute a contract with the selected contractor in an amount not to exceed \$200,000 for the provision of the performance review services.*

DISCUSSION

The Mobile Source Committee met Tuesday, September 13, 2005. Chairperson Scott Haggerty will give a summary of the meeting. The attached staff reports were presented to the Committee.

BUDGET CONSIDERATION/FINANCIAL IMPACTS

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Inter-office Memorandum

To: Chairperson Haggerty and
Members of the Mobile Source Committee

From: Henry Hilken
Director of Planning and Research

Date: September 6, 2005

Re: Vehicle Scrapping Contractor Selection for the Vehicle Buy Back Program

RECOMMENDED ACTION

Recommend Board of Directors approval of:

- 1) the selection of Environmental Engineering Studies, Inc., Pick-N-Pull, and Pick Your Part as the vehicle scrapping contractors for the fiscal year (FY) 2005/06 Vehicle Buy Back (VBB) Program; and
- 2) the authorization for the Executive Officer/APCO to execute contracts for vehicle scrapping and related services with Environmental Engineering Studies, Inc., Pick-N-Pull, and Pick Your Part, that will distribute, on a monthly reimbursement basis, the \$7 million allocated for this purpose to the VBB Program in FY 2005/06.

BACKGROUND

In FY 2005/06, the Air District will enter its tenth funding cycle for the VBB Program. Through the nine previous funding cycles, the Air District has allocated a total of approximately \$20 million and has scrapped over 27,000 vehicles. During the FY 2004/05 funding cycle, vehicle eligibility and incentive levels were revised so that model year 1985 and older vehicles are eligible for the VBB Program and \$650 is paid for each purchased vehicle. Funding allocated to the current FY 2004/05 contracts with the scrapping firms is expected to be expended within the next month. The Air District's FY 2005/06 budget allocates \$7 million in TFCA funds to continue implementation of the VBB Program.

DISCUSSION

In July 2005, the Air District issued a Request for Proposals (RFP) seeking contractors for the FY 2005/06 VBB Program. The scope of work contained in the RFP conforms to the California Air Resources Board-adopted Voluntary Accelerated Light-Duty Vehicle Retirement (VAVR) Regulation that went into effect in July 2000. The RFP was mailed to 29 companies and posted on the Air District and Association of Bay Area Governments websites. Responses to the RFP were due in August 2005.

The Air District received three proposals in response to the RFP. The proposals were submitted by Environmental Engineering Studies, Inc. (EES), Pick-N-Pull Auto Dismantlers, and Pick Your Part Auto Recycling. The Air District has previously contracted

with all three bidders to carry out the VBB Program. Therefore, Air District staff is familiar with their performance related to this program.

Air District staff evaluated the new proposals using five criteria set forth in the RFP. The criteria were:

1. **Price** (50 points maximum). Points awarded based on the overhead price.
2. **Available Resources/Customer Relations** (20 points maximum). Points awarded based on responsiveness to queries and requests, and the estimated number of days it would take for the contractor to purchase a vehicle.
3. **Coverage/Availability** (15 points maximum). Points awarded based on the number and geographical distribution of scrapping sites, number of buy back days per month, and convenience of daily schedules.
4. **Advertising** (5 points maximum). Points awarded according to the advertising budget and description of the proposed campaign to target potential sellers of eligible vehicles.
5. **Understanding of the Program and Thoroughness of the Proposal** (10 points maximum). Points awarded based on the extent to which a proposal demonstrates an understanding of the VBB Program and responds thoroughly to the RFP.

The results of the staff evaluation of the proposals are summarized below.

Price Evaluation. The overhead bid prices per vehicle for each proposal are presented in Table 1 below. Because proposals in recent years have included steadily increasing general overhead and advertising costs, the RFP specifically outlined expected costs for those items. Two of the three proposals included the expected level of \$200 for general overhead costs and all three included the expected \$20 for advertising overhead costs. The third proposal from EES had a higher general overhead rate of \$220 per vehicle. The reason for this higher rate appears to be related to the fact that EES manages ten independent dismantling yards. The other bidders operate their own dismantling yards.

**Table 1
Overhead Bid Prices**

Funding Levels	Environmental Engineering Studies, Inc.	Pick-N-Pull	Pick Your Part
Price paid per vehicle	\$650	\$650	\$650
Cost for General Overhead	\$220	\$200	\$200
Cost for Advertising Overhead	\$20	\$20	\$20
Total Cost per vehicle	\$890	\$870	\$870

Available Resources/Customer Relations Evaluation. All three proposals scored well under this category. This category includes number of staff answering calls, hours of telephone availability, and ability to process the necessary paperwork to determine vehicle eligibility. All proposals indicate that the Department of Motor Vehicles (DMV) registration history would be reviewed in advance of the vehicle buy back date to establish if a vehicle meets the requirements of the VBB Program. All proposing companies have the capability of processing the vehicle in one day, but typically would process the vehicle purchase in three days.

Coverage/Availability Evaluation. EES scored highest in this category because their coverage has increased to a total of ten yards in the Bay Area. The ten EES vehicle buy back locations are located in Hayward, the city of Napa, Newark, Pittsburg, Richmond, San Francisco, San Jose, and Santa Rosa, San Ramon, and Pinole. Pick-N-Pull has six vehicle buy back sites, located in Fairfield, Newark, Oakland, Richmond, San Jose, and Windsor. Pick Your Part has a total of three buy back sites located in Milpitas, Hayward, and San Francisco.

Advertising Evaluation. Pick Your Part and EES proposals scored higher under this criterion for their use of diverse methods of advertising, while Pick-N-Pull only uses one method: print advertising. As noted above, the FY 2005/06 RFP specifically outlined expected advertising overhead costs of \$20 per vehicle. All of the proposals submitted the same advertising overhead cost.

Understanding of the Program and Thoroughness of the Proposal Evaluation. All three firms that submitted proposals have a good understanding of the program, as evidenced in their proposals and by past experience with the VBB Program.

The scoring and total points for each of the RFP’s criteria is contained in Table 2 below. Based on the point scores in Table 2, staff recommends that the District select Environmental Engineering Studies, Inc., Pick-N-Pull, and Pick Your Part as vehicle scrapping contractors for FY 2005/06 and that the \$7 million in FY 2005/06 funding allocated to the scrapping of vehicles under the VBB Program be distributed on a monthly reimbursement basis to all three contractors until all the funds have been expended.

**Table 2
Points for Each Criterion**

Criteria	Environmental Engineering Studies, Inc.	Pick -N- Pull	Pick Your Part
Price (50 points)	48	49	49
Available Resources/Customer Relations (20 points)	18	18	18
Coverage/Availability (15 points)	14	11	8
Advertising (5 points)	4	3	4
Understands program/ thoroughness of proposal (10 points)	8	8	8
Total Points for All Criteria	92	89	87

BUDGET CONSIDERATION / FINANCIAL IMPACT:

Funds to implement the FY 2005/06 VBB Program are included in Program 612 of the Air District's approved FY 2005/06 budget.

Respectfully submitted,

Henry Hilken
Planning and Research Director

FORWARDED: _____

Prepared by: Vanessa Mongeon
Reviewed by: Juan Ortellado

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Inter-office Memorandum

To: Chairperson Haggerty and
Members of the Mobile Source Committee

From: Henry Hilken
Director of Planning and Research

Date: September 6, 2005

Re: Selection of Contractor for Transportation Fund for Clean Air (TFCA)
Performance Review

RECOMMENDED ACTION

Recommend Board of Directors approval of:

- 1) the selection of ICF Consulting as the contractor to conduct performance reviews of selected TFCA projects; and
- 2) the authorization for the Executive Officer/APCO to execute a contract with the selected contractor for an amount not to exceed \$200,000 for the provision of the performance review services.

BACKGROUND

The Air District is authorized under the California Health and Safety Code Sections 44220, 44223 and 44225 to collect a surcharge on the State-imposed motor vehicle registration fee. The revenues from the surcharge are distributed to public agencies through the Transportation Fund for Clean Air for the execution of specified projects and programs to reduce air pollution from motor vehicles pursuant to Health and Safety Code Section 44241. These funds provide incentives to implement mobile source and transportation measures required by the California Clean Air Act of 1988 to be included in Bay Area strategies to achieve State air quality standards.

In response to a directive received from the Committee, staff issued a request for statement of qualifications (RFQ) for a contractor to conduct performance reviews of TFCA-funded projects. The proposed performance reviews will evaluate the cost effectiveness of four different TFCA project categories. Two of these categories, arterial management projects and smart growth projects, are being evaluated as directed by the Committee. Staff is also recommending the evaluation of ridesharing programs and bicycle projects. The proposed performance reviews will evaluate approximately 80 of the 655 TFCA projects in the four previously mentioned categories, which have been completed since the inception of the program. The goal is to gather data to better assess emission reductions and cost effectiveness of selected categories of projects. If approved by the Board, the selected contractor will begin work in October 2005, with the final report being completed by July 2006. A summary of staff's evaluation of proposals is presented below.

DISCUSSION

Request for Statement of Qualifications

On May 18, 2005, the Air District issued a RFQ seeking a contractor to conduct a performance review of TFCA-funded projects. The scope of work contained in the RFQ follows:

1. Analyze a statistically significant number of completed TFCA-funded projects to determine the emission reductions achieved by these projects. Project types to be evaluated include the following:
 - a. ridesharing programs, including local programs, and regional programs,
 - b. arterial traffic management projects, including signal timing projects, incident management projects, and transit signal priority projects,
 - c. bicycle projects, including Class I bicycle paths, Class II bicycle lanes, Class III bicycle routes, bicycle lockers, bicycle racks, and attended bicycle stations, and
 - d. smart growth projects, including traffic calming projects, and pedestrian projects.
2. Evaluate the information typically collected by the Air District in the initial analysis of the TFCA application process and at completion of projects and recommend any changes necessary to improve the emission reduction evaluation of projects.
3. Conduct a literature search to report on the range of emission reductions achieved by the project types listed in item 2 above.

The RFQ was mailed to 137 firms. The RFQ was also posted on the Air District's website. Proposals were due at the Air District by June 20, 2005. The procedures used for the RFQ comply with the Air District's Administrative Code Division II, Section 4.6, and with applicable portions of the California Public Contract Code Section 1100, et seq.

The Air District received four proposals in response to the RFQ by the June 20, 2005, 4:00 PM deadline. The proposals were submitted by:

Name

Office Location

Design, Community & Environment
ETF Associates
ICF Consulting
Transit Resource Center

Berkeley, CA
Laguna Niguel, CA
San Francisco, CA
Grass Valley, CA

Evaluation of Proposals

The RFQ set forth four criteria to be used in evaluating the qualifications. Air District staff evaluated the submitted qualifications using these criteria and contacted references provided by the applicants. Scores were then assigned for each criterion. The table below shows the evaluation criteria and each firm's score for each criterion.

Scoring of Proposals

CRITERIA	MAX. PTS.	Design, Community & Environment	ETF Associates	ICF Consulting	Transit Resource Center
1. Experience with evaluating emission reductions from TCM projects	40	23	8	37	10
2. Demonstrated knowledge, ability, qualifications, and time commitment of the personnel assigned to the project	25	18	5	21	10
3. Ability to provide high-quality products within budget and on time, verified by list of references	25	20	15	21	10
4. Direct cost rates/personnel billing rates	10	7	7	9	9
Total	100	68	35	88	39

ICF Consulting received a total score of 88 points, the highest overall score, followed by Design, Community & Environment with a score of 68 points, Transit Resource Center with 39 points, and ETF Associates with 35 points. ICF was ranked as having the best experience in evaluating emission reductions from TCM projects, with direct experience carrying out the scope of work outlined in the RFQ. Qualifications received from the remaining three submittals did not demonstrate adequate direct experience in carrying out the scope of work outlined in the RFQ.

ICF also scored the highest points for demonstrated knowledge, ability, qualifications and time commitment. The statement of qualifications submitted by ICF specifically discussed in detail the approach that would be taken in completing each of the tasks in the RFQ. ICF staff’s qualifications were also commensurate with the work described in the RFQ. The statements of qualifications received from the other three firms were not as strong with respect to this criterion as that submitted by ICF.

All firms submitting a statement of qualifications were highly recommended by their references for providing high-quality products within budget and on time. Firms that provided references for work conducted directly related to the work contained in the RFQ received higher scores. Direct cost rates and personnel billing rates did not show much variation between the firms and those with slightly lower rates received slightly higher scores. The budget estimate provided by ICF contained fixed costs of \$48,610 (e.g., development of work plan and schedule, literature review, protocol for evaluations and report preparation), leaving up to approximately \$150,000 in variable costs for individual TFCA project reviews, which range from \$1,590 to \$3,000 per project.

BUDGET CONSIDERATION/FINANCIAL IMPACT

The performance review cost, funded by TFCA, is included in the Air District's FY 2005/06 budget.

Respectfully submitted,

Henry Hilken
Director of Planning and Research

FORWARDED: _____

Prepared by: J. Steinberger
Reviewed by: J. Ortellado

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Inter-office Memorandum

To: Chairperson Haggerty and
Members of the Mobile Source Committee

From: Henry Hilken
Director of Planning and Research

Date: September 6, 2005

Re: Presentation on Plug-in Hybrid Motor Vehicles

RECOMMENDED ACTION

Receive and file.

BACKGROUND

Hybrid vehicles use a combination of internal combustion engines, electric motors and batteries for traction power. The use of batteries and electric motors allows some, but not all, hybrids to travel in an all-electric, or zero-emission, mode for short distances. The on-board engines recharge the batteries. A growing number of researchers, public interest groups, and at least one automobile manufacturer are actively investigating the feasibility of recharging hybrids by “plugging” into the electrical grid, as well as increasing on-board electrical storage by adding additional batteries. A vehicle that recharges from the electrical grid will produce less overall emissions. An increase in the all-electric mode also reduces petroleum use and greenhouse gases.

District Board members have requested additional information on plug-in hybrids. Also, local governments have expressed interest in potentially converting existing hybrids into “plug-in” hybrids, or in joining research and development efforts to develop plug-in hybrid school buses, trucks and passenger vehicles. The increased interest in plug-in hybrids may result in requests to the Air District for funding to offset conversion or research costs.

To provide a better understanding of plug-in hybrids, staff from the California Air Resources Board will present an overview which will cover, in part:

- Recent and proposed research and technology demonstrations;
- Current plans of automobile manufacturers to produce plug-in hybrids;
- The relative advantages and disadvantages of plug-in hybrids relative to conventional and alternative fuel vehicles, including hydrogen fuel cells; and
- How plug-in hybrids fit into the current ZEV regulations and might influence future rule-making.

Respectfully submitted,

Henry Hilken
Director of Planning and Research

FORWARDED: _____

Prepared by: Michael Murphy

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Inter-office Memorandum

To: Chairperson Haggerty and
Members of the Mobile Source Committee

From: Teresa Galvin Lee
Director of Public Information and Outreach

Date: September 6, 2005

Re: Great Race for Clean Air

RECOMMENDED ACTION

Informational.

BACKGROUND

The *Great Race for Clean Air* is a project of the Air District's Tri-Valley Resource Team. This two-part event is designed to promote transit alternatives, including rail, bus, ridesharing, biking and walking. The Great Race will culminate in an October 6, 2005 "Race Day". Six teams of elected officials and community activists will compete in a race while highlighting local accomplishments in clean air and alternative transportation. Several Board members have volunteered to lead a team in the October 6th event.

DISCUSSION

The *Great Race for Clean Air* has several objectives:

- To attract new riders to commute alternatives;
- To highlight the contributions that the Air District's Resource Teams make in improving air quality through programs and activities; and
- To commemorate the Air District's 50th anniversary and the environmental progress that the Bay Area has made over the past 50 years.

The *Great Race for Clean Air* has two components. The "Race Day" event involves four resource teams and is scheduled for October 6, 2005. The teams will complete transportation-related tasks--such as a bicycle safety quiz and a 511 trip planning exercise--at two pre-designated "pit-stops" and receive a puzzle piece. For example, the San Francisco team members will begin at the Presidio, bike to the Air District for their first pit stop and go on to 4th and Townsend before heading to the East Bay. The Santa Clara team will begin at Yahoo at Sunnyvale, then stop at Gunn High School in Palo Alto (to highlight Gunn's innovative high school commute program) and then proceed to the City of Sunnyvale. They will then carpool to Pleasanton and meet the other teams for the finale.

The puzzle pieces obtained at the pit-stops will be put together at the Pleasanton Commuter Choice Transportation Fair at the CarrAmerica Corporate Center at the end of the race, creating an air quality message. A grand prize will be awarded to the team that

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ranks highest based on scoring criteria including creativity of travel and the distance covered in the least amount of time. For example, a team bicycling, then riding a bus, train and/or ferry would score higher than a team that rides BART and rideshares to the finish line.

The second component of the *Great Race for Clean Air* is *4 Modes in 4 Weeks* which is a public challenge during the month of September. The *4 Modes in 4 Weeks* component is open to all Bay Area residents 16 years and older. Competitors are required to document, by photos, their use of four modes of alternative transportation during the month. The four images and entry form must be emailed or mailed to the Air District by October 5, 2005. The entry forms will be collected and the winner selected by a random drawing by the winning Resource Team on the day of the Great Race. The winner of the *4 Modes for 4 Weeks* contest need not be present to win. Residents are urged to visit www.sparetheair.org for contest rules, more race information and an entry form.

The outreach for the *4 Modes in 4 Weeks* includes a press release, bus ads, communications to the Spare the Air Employer network, materials distributed at community events, radio public service announcements, partnering with transit operators and developing a web presence at www.sparetheair.org.

The *Great Race for Clean Air* and *4 Modes in 4 Weeks* is an opportunity to highlight alternative modes of transportation and to carry the clean air message into October when the Spare the Air season is coming to a close. Participation by members of the Board is welcome and encouraged.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. Funding for this program has been allocated in the fiscal 2005-2006 budget.

Respectfully submitted,

Teresa Galvin Lee
Director of Public Information and Outreach

FORWARDED: _____

Prepared by: Teresa Galvin Lee
Reviewed by: Jean Roggenkamp